

LAWS

OF THE

STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1901.

LEGISLATURE CONVENED JANUARY, ADJOURNED MARCH, 1901.



MANCHESTER, N. H.
ARTHUR E. CLARKE, PUBLIC PRINTER
1901.

NEW HAMPSHIRE COLLEGE
—OF—
AGRICULTURE AND THE MECHANIC ARTS.



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STATE OFFICERS.

CHESTER B. JORDAN, *Governor.*
EDWARD N. PEARSON, *Secretary of State.*
SAMUEL H. STEARNS, *Deputy Secretary of State.*
SOLON A. CARTER, *State Treasurer.*
ALGERNON WILLIS, *Deputy State Treasurer.*
ARTHUR E. CLARKE, *Public Printer.*
BERTRAM ELLIS, *President of the Senate.*
CYRUS H. LITTLE, *Speaker of the House.*
THOMAS F. CLIFFORD, *Clerk of the Senate.*
HENRY E. BROCK, *Clerk of the House.*
AUGUSTUS D. AYLING, *Adjutant-General.*
CHARLES E. COX, *Warden of State Prison.*
JOHN C. LINEHAN, *Insurance Commissioner.*
ALPHEUS W. BAKER, }
JOHN HATCH, } *Bank Commissioners.*
GEORGE W. CUMMINGS, }
HENRY M. PUTNEY, }
JOSIAH G. BELLOWES, } *Railroad Commissioners.*
EDWARD B. S. SANBORN, }
CHANNING FOLSOM, *Superintendent of Public Instruction.*
LYSANDER H. CARROLL, *Commissioner of Labor.*
CHARLES A. DOLE, *Secretary Board of Equalization.*
NAHUM J. BACHELDER, *Secretary of Board of Agriculture.*
IRVING A. WATSON, *Secretary of Board of Health.*
ARTHUR H. CHASE, *Librarian.*

SUPREME COURT.

ISAAC N. BLODGETT, *Chief Justice.*
WILLIAM M. CHASE, }
ROBERT M. WALLACE, } *Associate Justices.*
FRANK N. PARSONS, }
ROBERT G. PIKE, }
ROBERT J. PEASLEE, }
JOHN E. YOUNG, }
EDWIN G. EASTMAN, *Attorney-General.*
JOHN H. RIEDELL, *Law Reporter.*

LAWS

OF THE

STATE OF NEW HAMPSHIRE,

PASSED JANUARY SESSION, 1901.

CHAPTER 1.

AN ACT TO CLOSE ICE FISHING IN LYME OR POST POND, IN THE
TOWN OF LYME.

SECTION

1. Ice fishing in Lyme or Post pond
prohibited for four years.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

SECTION 1. If any person shall fish through the ice on Lyme or Post pond, so called, in the town of Lyme during the next four years from the passage of this act he shall be fined twenty dollars for each offense.

Fishing
through ice
on Lyme pond
prohibited.

SECT. 2. This act shall take effect from its passage.

Takes effect
on passage.

[Approved February 4, 1901.]

CHAPTER 2.

AN ACT IN ADDITION TO AND IN AMENDMENT OF CHAPTER 198 OF
THE PUBLIC STATUTES, RELATING TO TRUSTEES OF ESTATES.

SECTION

1. Majority of trustees may act in all cases, unless instrument otherwise provides.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Majority of trustees may act unless instrument otherwise provides.

Repealing clause; act takes effect on passage.

SECTION 1. When more than one trustee is required to execute a trust, a majority of the trustees shall be competent to act in all cases, unless the instrument or authority creating the trust shall otherwise provide.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act takes effect upon its passage.

[Approved February 5, 1901.]

CHAPTER 3.

AN ACT TO PERMIT GUARDIANS OF MINORS AND OF INSANE PERSONS,
AND TRUSTEES OF ESTATES, TO INVEST THEIR FUNDS IN CERTAIN
DEFINED STEAM RAILROAD SHARES.

SECTION 1. Guardians and trustees may invest funds in certain railroad stocks.

Be it enacted by the Senate and House of Representatives in General Court convened:

Guardians and trustees may invest funds in certain railroad stocks.

SECTION 1. Guardians of minors and of insane persons and trustees of estates may invest their funds, in addition to what is now permitted by the laws of this state, in the stocks of leased steam railroads located wholly or in part in the New England states, whose rental is guaranteed by either of the following named railroad corporations, to wit: The Boston & Maine, the New York, New Haven & Hartford, and the New York Central & Hudson River railroad companies.

[Approved February 5, 1901.]

CHAPTER 4.

AN ACT TO PROVIDE FOR AN EXHIBITION OF THE PRODUCTS OF THE STATE OF NEW HAMPSHIRE, AND A DISPLAY OF ITS NATURAL ATTRACTIONS, AT THE PAN-AMERICAN EXPOSITION OF 1901.

SECTION

1. Board of commissioners to Pan-American exhibition may unite with other states in erection of a building.
2. Members of board to receive actual expenses when necessarily absent from their homes.

SECTION

3. Seven thousand dollars appropriated to carry out provisions of act.
4. Takes effect on passage.

WHEREAS, There will be holden a Pan-American exhibition of arts, industries, manufactures, and products of the soil, mine, and sea, in the city of Buffalo, in the state of New York, in the year 1901; and

WHEREAS, It is of great importance that the natural resources, industrial development, and general progress of the state of New Hampshire should be creditably displayed at said exposition; and

WHEREAS, A board of four commissioners and two vice-presidents were appointed by His Excellency Governor Rollins, for the purpose of exhibiting the resources, products, and general development of the state of New Hampshire at said exposition,

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the said board shall have power to unite with other New England states in the erection of a suitable building for the proper display of the natural attractions of the state at a cost not to exceed five thousand dollars; and to make such arrangements for space as it may deem necessary, and to prepare the same for the proper display of articles for exhibit at said exposition.

Commissioners to Pan-American exhibition may unite with other states in erection of building.

SECT. 2. The members of the board appointed shall not be entitled to any compensation for their services out of the state treasury, except their actual expenses when necessarily absent from their homes in the proper performance of their duties as members of said board.

Members of board to receive actual expenses when necessarily absent from their homes.

SECT. 3. To carry out the provisions of this act the sum of seven thousand dollars, including the aforesaid five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury not otherwise appropriated, and the state treasurer is directed to pay the same from time to time on the requisition of said board, upon approval by the governor.

Seven thousand dollars appropriated.

SECT. 4. This act shall take effect from and after its passage.

Takes effect on passage.

[Approved February 5, 1901.]

CHAPTER 5.

AN ACT TO PREVENT THE DESECRATION OF MEMORIAL DAY.

SECTION

1. Towns may adopt police regulations for observance of Memorial Day.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Towns may adopt police regulations for observance of Memorial Day.

SECTION 1. Towns may by by-laws provide police regulations for the observance of Memorial Day, whereby interference with, and disturbance of, the exercises held under the auspices of the Grand Army of the Republic for the observance of Memorial Day, by processions, sports, games, or other holiday exercises in the vicinity of such memorial exercises may be prohibited, prevented, and punished.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 5, 1901.]

CHAPTER 6.

AN ACT IN RELATION TO THE RIGHTS OF GUARDIANS OF INSANE PERSONS.

SECTION

1. The guardian of an insane person may waive the provisions of a will in favor of ward.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Guardian of insane person may waive provisions of will in favor of ward.

SECTION 1. The guardian of an insane person shall have the same right that his ward would have, if sane, to waive the provisions of a will in favor of his ward, intended to be in lieu of dower, or curtesy (as the case may be), and distributive share, and shall likewise have the power to release said ward's right of dower or curtesy and his homestead right, and take for his ward the same property and rights that the ward would take and have if sane; and the guardian of such insane person shall have the same right to an extension of the time within which such waiver may be filed, by permission of the judge of probate, for good cause shown, that the ward, if sane, would have.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 13, 1901.]

CHAPTER 7.

AN ACT PROVIDING FOR THE DECREASE OF THE NUMBER OF STATE
BOARDS AND COMMISSIONS BY THE GRADUAL UNION OF THOSE HAV-
ING SUPERVISION OF PUBLIC LIBRARIES.

SECTION

1. Consolidation of trustees of state library and board of library commissioners provided for.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Vacancies hereafter occurring in the board of trustees of the state library otherwise than by the expiration of a prescribed term of office shall be filled from eligible persons who are at the time members of the board of library commissioners. No vacancy hereafter occurring in the board of library commissioners shall be filled if the filling of such vacancy would give that board more than three members, but after the membership of said board shall have been reduced to three by the occurrence of vacancies by expiration of terms of office, death, resignation, or otherwise, said board shall consist of only three members. Vacancies occurring after its membership shall consist of only three by virtue of this act shall be filled by appointment of eligible persons holding the office of trustee of the state library. Whenever it shall transpire, under the operation of the provisions of this act, that the personnel of both of said boards shall be the same, thereupon all the duties now by law made incumbent upon said separate boards shall be performed by the single board constituted as aforesaid; and only one report, which shall be biennial as now by law provided, shall be required or published with respect to the business or recommendations of either board after the union of both, as one board, shall have been perfected in accordance with the purpose of this act. No more than two members of the board of library commissioners shall be appointed from one political party.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 13, 1901.]

CHAPTER 8.

AN ACT IN AMENDMENT OF SECTION 4, CHAPTER 40 OF THE PUBLIC STATUTES, RELATING TO THE POWERS AND DUTIES OF TOWNS.

SECTION 1. Towns authorized to distribute literature calling attention to their resources and advantages.

Be it enacted by the Senate and House of Representatives in General Court convened:

Towns authorized to distribute literature calling attention to their resources and advantages.

SECTION 1. Section 4 of chapter 40 of the Public Statutes is hereby amended by adding after the words "and other public places," in the twenty-third line of said section, the following: to issue and distribute circulars, pamphlets, photographs, and other written or printed matter calling attention to the resources and natural advantages of said towns, so that said section as amended will read:

SECT. 4. Towns may, at any legal meeting, grant and vote such sums of money as they shall judge necessary to support schools; to build and repair schoolhouses; to maintain the poor; to lay out, build, and repair highways and sidewalks; to build and repair bridges; to light streets; to repair meeting-houses owned by the town so far as to render them useful for town purposes; to encourage volunteer enlistments in case of war or rebellion; to procure and erect a monument or memorial building to perpetuate the memory of such soldiers belonging thereto as may have sacrificed their lives in the service of their country, including a suitable lot therefor and fence for its protection; to defray the expense of decorating the graves of soldiers in the late Rebellion, not exceeding two hundred dollars yearly; to provide and maintain armories for military organizations stationed therein which form part of the New Hampshire National Guard or reserved militia, not exceeding two hundred dollars yearly for each organization; to provide means for the extinguishment of fires; to establish and maintain public libraries and reading-rooms for the free use of all the inhabitants of the town; to establish cemeteries, and parks or commons, and to improve the same; to provide and maintain receiving-tombs; to set out and care for shade and ornamental trees in highways, cemeteries, commons, and other public places; to issue and distribute circulars, pamphlets, photographs, and other written or printed matter calling attention to the resources and natural advantages of said towns; to provide and maintain suitable coasting and skating places, not exceeding five hundred dollars yearly; to procure the detection and apprehension of any person committing a felony therein; to prepare and publish the history of the town; to maintain and record weather observations; and for all necessary charges arising within the town; but no money shall be raised or appropriated at any special town meeting except by vote by ballot, nor unless the ballots cast at such meet-

ing shall be equal in number to at least one half of the number of legal voters borne on the check-list of the town at the annual or biennial election next preceding such special meeting; and such check-list may be used at such meeting upon the request of ten legal voters of the town.

[Approved February 13, 1901.]

CHAPTER 9.

AN ACT TO PROTECT PUBLIC RIGHTS IN NEW HAMPSHIRE.

SECTION

1. Foreign corporation or club not to hold property for purpose of hunting, etc., unless first incorporated by legislature.
2. Public waters, what are. No person or corporation to have exclusive privileges therein.

SECTION

3. Supreme court may restrain violations of act by injunction.
4. Repealing clause; act takes effect on passage.
5. Not to be construed as abandonment of state's right in ponds containing between ten and twenty acres.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. No foreign corporation, association, club, or similar organization shall hold or hereafter acquire property in New Hampshire for the purpose of hunting, fishing, sporting, or recreation, without first becoming incorporated by the legislature of this state.

SECT. 2. All natural bodies of fresh water having an area of twenty acres or more are public waters, and are held in trust by the state for public use; and no foreign or domestic corporation or individual shall have or exercise in any such body of water any rights or privileges not common to all citizens of this state.

SECT. 3. The supreme court shall have power by injunction or other appropriate process to restrain any corporation, association, club, or similar organization, and any member, servant, or agent thereof, from occupying, using, or enjoying any property held or acquired in this state in violation of the provisions of this act.

SECT. 4. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

SECT. 5. Nothing herein contained shall be construed as an abandonment or waiver of any right of the state in fresh water ponds containing between ten and twenty acres.

[Approved February 14, 1901.]

CHAPTER 10.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT RELATING TO DOGS AND THEIR OWNERS," PASSED AT THE JANUARY SESSION, 1899.

SECTION 1. Punishment of owner of dog in certain cases.

Be it enacted by the Senate and House of Representatives in General Court convened:

Punishment
of owner of
dog in certain
cases.

SECTION 1. Section 1 of chapter 28 of the Laws of 1899 is hereby amended by striking out the words "wild or domestic" in the fourth line and inserting before the word "creature" in said fourth line the word domestic, so that said section as amended shall read as follows:

SECTION 1. Any owner of a dog to whom notice has been given that such dog, when at large, had been discovered pursuing or harassing moose, caribou, deer, or sheep, or injuring any domestic creature, shall be fined five dollars for the second and each subsequent occasion on which said dog shall be so discovered; and if any dog, at any time, shall maim, injure, or destroy any of the animals protected by this act, the owner thereof shall be fined, in the case of a wild animal, the same amount which the statutes impose upon persons for killing the same animals contrary to law.

[Approved February 14, 1901.]

CHAPTER 11.

AN ACT RELATING TO THE SALARY OF THE SOLICITOR OF THE COUNTY OF CARROLL.

SECTION

1. Salary of solicitor of Carroll county.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Salary of
solicitor of
Carroll
county.

SECTION 1. That the salary of the solicitor of the county of Carroll shall hereafter be four hundred dollars per annum, payable as now provided by law; and so much of section 17 of chapter 286 of the Public Statutes as is inconsistent with this act is hereby repealed.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 14, 1901.]

CHAPTER 12.

AN ACT IN AMENDMENT OF SECTION 7 OF CHAPTER 125 OF THE PUBLIC STATUTES, IN RELATION TO SEALERS OF WEIGHTS AND MEASURES.

SECTION

1. Duties of town sealers of weights and measures.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 7 of chapter 125 of the Public Statutes is hereby amended by striking out in the second line, after the word "year" and before the word "visit" the following words: within three months next after the first of April, so that said section when amended shall read as follows: Duties of sealers of weights and measures.

SECT. 7. Every sealer of weights and measures in a town or city shall once in each year, within three months next after the first of April, visit and examine every place where scales or measures are used for the purchase or sale of any goods or commodities, and shall examine all such scales or measures.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 20, 1901.]

CHAPTER 13.

AN ACT IN AMENDMENT OF SECTION 3 OF CHAPTER 110 OF THE PUBLIC STATUTES, RELATING TO SMALLPOX AND PESTILENTIAL DISEASES.

SECTION

1. Physicians to report to health officers or selectmen.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 3 of chapter 110 of the Public Statutes be amended by striking out all after the word "officers," in the fourth line of said section, and inserting instead thereof the following: or in their absence, to the selectmen of the town. If any physician shall neglect so to do, he shall be fined one hundred dollars, or be imprisoned not exceeding ninety days, or both, so that said section as amended shall read: Physicians to report to health officers or selectmen.

SECT. 3. It shall be the duty of every physician who attends upon any person infected with the smallpox, the malignant cholera, diphtheria, scarlet fever, or other malignant pestilential

disease, immediately to report the same to the health officers, or, in their absence, to the selectmen of the town. If any physician shall neglect so to do, he shall be fined one hundred dollars, or be imprisoned not exceeding ninety days, or both.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved February 20, 1901.]

CHAPTER 14.

AN ACT RELATING TO THE FISH HATCHERIES OF THE STATE AND TO THE MATTER OF THE PROPAGATION OF FISH.

SECTION

1. Certain fish hatcheries to be abolished.
2. Remaining hatcheries to be changed and improved.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Certain
hatcheries to
be abolished.

SECTION 1. The fish and game commissioners are hereby authorized and empowered to abolish and dispose of such of the fish hatcheries of the state as, in the opinion of the governor and council, should be abolished; and they are hereby directed to turn the funds resulting from such sales into the state treasury.

Remaining
hatcheries to
be changed
and im-
proved.

SECT. 2. Said commissioners are further authorized and empowered, subject to the approval of the governor and council, to so change and improve the remaining hatcheries as to enable them to rear the fry hatched therein to fingerlings before placing them into the waters of the state; and the governor is hereby authorized to draw his warrant upon any sums in the treasury not otherwise appropriated, to defray the necessary expense of such improvements.

Takes effect
on passage.

SECT. 3. This act shall take effect on its passage.

[Approved February 20, 1901.]

CHAPTER 15.

AN ACT TO PROVIDE FOR THE PUNISHMENT OF SCHOLARS WHO
ESCAPE FROM THE INDUSTRIAL SCHOOL.

SECTION

1. Escape from industrial school, how punished.
2. If committed during term of minority, escape punishable how.
3. If original sentence was confinement in state prison, such order to be made by supreme court.

SECTION

4. Right of trustees to discharge scholar not affected.
5. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Any minor lawfully committed to the industrial school, who shall escape or depart therefrom without the consent of the trustees or the superintendent of said school, may, upon conviction thereof, be ordered by the court before whom said offender shall be brought to be kept and instructed in said school for a term not exceeding six months in addition to the term set forth in the original order for his or her committal to said school, provided said additional term shall not extend beyond such scholar's arriving at the age of twenty-one years.

Escape from industrial school; how punished.

SECT. 2. Any minor who has been committed to the industrial school for the term of during minority, and escaping or departing therefrom as mentioned in section 1 of this act, may upon conviction thereof be punished therefor after the expiration of the term in the industrial school by imprisonment in the house of correction to which such minor was originally sentenced for a term not exceeding sixty days.

If committed during term of minority, escape punishable how.

SECT. 3. In case the original sentence was confinement in state prison, such order shall be made by the supreme court.

If original sentence was to state prison, such order to be made by supreme court.

SECT. 4. Nothing in this act shall prevent the discharge of a scholar by the trustees in their discretion, as now provided by law.

Right of trustees to discharge scholar not affected.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; act takes effect on passage.

[Approved February 20, 1901.]

CHAPTER 16.

AN ACT TO PROVIDE FOR THE RESTRICTION OF COMMUNICABLE DISEASES.

SECTION

1. Physicians may quarantine dwellings in case of infectious or contagious disease.
2. Every person to report malignant communicable disease existing in his household.
3. Health officers to establish quarantine after notice.
4. Quarantined premises to be placarded.
5. Local health officers to report to state board of health.

SECTION

6. Health officers to disinfect premises, when and how.
7. Infected or exposed child not to attend school.
8. Local health officers to attend meetings of state board of health when requested.
9. Violation of provisions and regulations thereunder, penalty.
10. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Physicians may quarantine dwellings in case of infectious or contagious disease.

SECTION 1. A physician called upon to attend a sick person, and who finds the cause of such sickness to be of a contagious or infectious character and the general public likely to be endangered thereby, may quarantine such person's residence at once and report the fact to the board of health. Such quarantine shall continue in force until relieved or revoked by the board of health.

Every person to report certain diseases in his household.

SECT. 2. Whenever any person knows or has reason to believe that any member of his family or household (boarder, roomer, or visitor) has either smallpox, diphtheria, membranous croup, scarlet fever, typhoid fever, measles, or any other malignant communicable disease, he shall, within twenty-four hours, if no physician is in attendance, give notice thereof to the local board of health of the town or city in which he resides, and such notice shall be given either verbally to one of the health officers, or by a communication addressed to the board of health and duly mailed within the time specified.

Health officers to establish quarantine after notice.

SECT. 3. The board of health, upon being notified of the existence of either of the four diseases first named in section 2, or of other malignant pestilential disease, shall immediately quarantine the infected house, premises, or rooms, so as effectually to isolate the case, and the family if necessary, in such a manner as will prevent the spread of the disease.

Quarantine premises to be placarded.

SECT. 4. Whenever a house, tenement, or room is placed in quarantine, a placard shall be posted in a conspicuous position, giving the name of the disease and also containing the following quarantine order: "All persons are strictly forbidden to enter or leave these premises without special permit from the board of health. All persons are strictly forbidden to remove this card without orders from the board of health."

SECT. 5. Upon the appearance of either of the diseases named in section 2 in any town or city in the state, the board of health shall make an immediate report to the state board of health upon blanks furnished for that purpose, and shall thereafter make a weekly report as long as the disease continues, stating number of cases, number of infected houses, fatality, and such other facts as may be required by the state board of health.

Local health officers to report to state board.

SECT. 6. At a proper time after the convalescence or death of the infected person or persons, the board of health shall cause the infected premises to be thoroughly disinfected and cleansed, so as effectually to destroy all contagion, said work to be carried out according to methods indorsed and recommended by the state board of health, after which the said premises may be released from quarantine.

Health officers to disinfect premises, when and how.

SECT. 7. No parent, guardian, person, or persons having the custody of any child, shall permit such child, if infected with any communicable disease, or has been exposed to such, to attend any public or private school.

Infected or exposed child not to attend school.

SECT. 8. It shall be the duty of a health officer, or a representative of a local board of health, to attend a meeting of the state board of health, when requested by the latter, for consultation in the restriction and prevention of contagious and infectious diseases, or for the consideration of other important sanitary matters.

Local health officers to attend meetings of state board.

SECT. 9. Any person who knowingly violates any provision of this chapter, or any regulation established by authority of this chapter, shall be punished by a fine of ten dollars for each offense.

Violations of provisions and regulations; penalty.

SECT. 10. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; act takes effect on passage.

[Approved February 20, 1901.]

CHAPTER 17.

AN ACT IN AMENDMENT OF SECTION 4, CHAPTER 40 OF THE PUBLIC STATUTES, RELATING TO THE POWERS AND DUTIES OF TOWNS.

SECTION 1. Towns may raise money to defray expenses of observing Old Home Week.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 4 of chapter 40 of the Public Statutes be amended by inserting after the words "weather observations" the following: to defray the expenses of observing Old Home Week, so that said section as amended shall read as follows:

Towns may raise money to defray expenses of observing Old Home Week.

SECT. 4. Towns may, at any legal meeting, grant and vote such sums of money as they shall judge necessary to support schools; to build and repair schoolhouses; to maintain the poor; to lay out, build, and repair highways and sidewalks; to build and repair bridges; to light streets; to repair meeting-houses owned by the town so far as to render them useful for town purposes; to encourage volunteer enlistments in case of war or rebellion; to procure and erect a monument or memorial building to perpetuate the memory of such soldiers belonging thereto as may have sacrificed their lives in the service of their country, including a suitable lot therefor and fence for its protection; to defray the expense of decorating the graves of soldiers in the late Rebellion, not exceeding two hundred dollars yearly; to provide and maintain armories for military organizations stationed therein which form part of the New Hampshire National Guard or reserved militia, not exceeding two hundred dollars yearly for each organization; to provide means for the extinguishment of fires; to establish and maintain public libraries and reading-rooms for the free use of all the inhabitants of the town; to establish cemeteries, and parks or commons, and to improve the same; to provide and maintain receiving-tombs; to set out and care for shade and ornamental trees in highways, cemeteries, commons, and other public places; to provide and maintain suitable coasting and skating places, not exceeding five hundred dollars yearly; to procure the detection and apprehension of any person committing a felony therein; to prepare and publish the history of the town; to maintain and record weather observations; to defray the expenses of observing Old Home Week; and for all necessary charges arising within the town; but no money shall be raised or appropriated at any special town meeting except by vote by ballot, nor unless the ballots cast at such meeting shall be equal in number to at least one half of the number of legal voters borne on the check-list of the town at the annual or biennial election next preceding such special meeting; and such check-list may be used at such meeting upon the request of ten legal voters of the town.

[Approved February 20, 1901.]

CHAPTER 18.

AN ACT IN AMENDMENT OF SECTION 3 OF CHAPTER 77 OF THE LAWS OF 1899, ENTITLED "AN ACT TO EQUALIZE THE SCHOOL PRIVILEGES OF THE CITIES AND TOWNS OF THE STATE."

SECTION

1. State not to pay one half of salary of superintendent of schools of cities.

SECTION

Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 3 of chapter 77 of the Laws of 1899, by striking out the words "whose equalized valuation does not exceed \$2,000,000," and adding after the word "entitled" in the last line thereof the words, This section shall not apply to cities, so that said section as amended shall read as follows:

State not to contribute to salary of school superintendents of cities.

SECT. 3. Any town or special district which shall unite with one or more districts to form a supervisory district which shall employ as superintendent, at an annual salary, a person holding a permanent state teacher's certificate and shall certify through its chairman and secretary such facts to the state treasurer, shall be entitled to one half its apportioned share of said salary, said sum to be paid by him in December of each year to the town treasurer of each town in said supervisory district, upon sworn statement of the state superintendent of public instruction certifying as to what amount each town is entitled. This section shall not apply to cities.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 20, 1901.]

CHAPTER 19.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 93 OF THE PUBLIC STATUTES, RELATING TO SCHOLARS.

SECTION 1. Children to be vaccinated before attending parochial or private schools.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 2, chapter 93 of the Public Statutes is hereby amended by inserting in the first line, after the word "public," the following words, parochial, or private, and after the last word in the section the words, and this section shall be

Children to be vaccinated before attending parochial or private schools.

enforced by the board of health, so that the section as amended shall read:

SECT. 2. No child shall attend any public, parochial, or private school unless he has been vaccinated or has had the small-pox, and this section shall be enforced by the board of health.

[Approved February 20, 1901.]

CHAPTER 20.

AN ACT TO PREVENT THE USE OF MACHINES INTENDED FOR THE PURPOSE OF WINNING MONEY OR OTHER THING BY CHANCE OR HAZARD.

SECTION

1. Slot machines for winning money declared to be gambling implements.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Slot machines for winning money declared gambling implements.

SECTION 1. Any slot machine or other machine or appliance intended for the purpose of winning money or any other thing by chance or hazard is hereby declared to be a gambling implement, and all laws relating to gambling implements shall be deemed and taken to include all such machines and appliances as aforesaid.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 20, 1901.]

CHAPTER 21.

AN ACT RELATING TO INSANE CRIMINALS.

SECTION

1. Criminal pleading insanity may be committed to state asylum for examination.
2. If not of sufficient means, to be supported by state.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Criminal pleading insanity may be committed to asylum for examination.

SECTION 1. When a person is indicted for any offense, or is committed to jail on any criminal charge to await the action of the grand jury, any justice of the court before which he is to be tried, if a plea of insanity is made in court, or said justice is

notified that such plea will be made, may, in term time or vacation, order such person into the care and custody of the superintendent of the state asylum for the insane, to be detained and observed by him until further order of the court, that the truth or falsity of the plea may be ascertained.

SECT. 2. The person so committed shall be there supported at his own expense, if he has sufficient means; otherwise, at the expense of the state. If not of sufficient means, state to support.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved February 20, 1901.]

CHAPTER 22.

AN ACT TO AMEND SECTION 19, CHAPTER 175 OF THE PUBLIC STATUTES, AND TO PROVIDE FOR THE RETURN OF THE RECORD OF DIVORCES BY CLERKS OF THE SUPREME COURT TO THE REGISTRAR OF VITAL STATISTICS.

SECTION

1. Clerks of court to make return of divorces to registrar of vital statistics.

SECTION

2. Fees of clerks to be paid by counties.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The clerks of the supreme court shall, as soon as possible after the passage of this act, return to and upon cards or blanks furnished by the registrar of vital statistics a record of all divorces now in their office decreed since June 1, 1858, giving the full Christian and surname and residence of the parties, the date of the decree, together with the date and place of marriage if the same is set forth in the libel, and at the close of each term hereafter they shall make like return of the divorces granted by the court. Clerks of courts to report divorces to registrar of vital statistics.

SECT. 2. County clerks shall receive ten cents for the return of each divorce, to be paid by the county in which said divorce occurs, and the treasurer of any county shall, upon presentation of the bill for such services duly approved by the county commissioners, draw his warrant therefor. Fees to be paid by counties.

[Approved February 20, 1901.]

CHAPTER 23.

AN ACT TO ESTABLISH A LABORATORY OF HYGIENE.

SECTION

1. State board of health may establish laboratory of hygiene.
2. Board to employ chemist.
3. Examination in cases of disease.
4. Board may publish quarterly bulletin of work.

SECTION

5. Laboratory investigations free to people of this state.
6. Appropriation for laboratory and expenses.
7. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

State board of health may establish laboratory of hygiene.

SECTION 1. The state board of health is authorized to establish and equip a laboratory with the proper and necessary apparatus, utensils, and instruments for the chemical and bacteriological examination of water supplies, milk, food products, drugs, etc., and the investigation of cases and suspected cases of diphtheria, typhoid fever, tuberculosis, pneumonia, malaria, glanders, and other infectious and contagious diseases.

Board to employ chemist.

SECT. 2. The said board shall employ a chemist, and shall, as far as practicable, make investigations and analyses of public water supplies, and of foods and drinks offered for sale in our markets, and shall conduct investigations along these lines, with a view to discovering adulterated and fraudulent products, and shall enforce the law relative to the same, as provided for in chapter 269 of the Public Statutes.

Examination in case of disease.

SECT. 3. The board shall also provide for the bacteriological examination of cases and suspected cases of diphtheria, typhoid fever, tuberculosis, glanders, and such other diseases as it may deem necessary, including any diseased condition that may be found in slaughtered animals, and in cases of infectious diseases shall report its findings immediately, by telegraph or telephone, to the physician requesting the same.

Board may publish quarterly bulletin.

SECT. 4. The state board of health may publish quarterly in a bulletin the results of the analytical work done in said laboratory, naming fraudulent and adulterated articles of food found on sale in this state, together with such other information relating to sanitary matters as it may deem advisable, and the said board shall conduct its investigations along such lines as it may deem to be for the greatest public utility. It shall make special investigations into the character and quality of the water supplies of any locality in the state when requested by any board of water commissioners, board of health, or by consumers.

Laboratory investigations free.

SECT. 5. All investigations conducted in the said laboratory shall be free to the people of this state.

Appropriation for laboratory and expenses.

SECT. 6. The sum of two thousand dollars is hereby appropriated for the purpose of procuring the proper and necessary apparatus, utensils, and instruments for the equipment of such laboratory, and the sum of five thousand dollars, or as much thereof as may be needed, is hereby appropriated for each of the

years 1901 and 1902 to pay the necessary expenses of said laboratory, the purchase of supplies, and such other incidentals as may be required, which sums shall be expended under the supervision and direction of the state board of health, and all expenditures shall be audited by the governor and council.

SECT. 7. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 20, 1901.]

CHAPTER 24.

AN ACT RELATING TO THE JUDICIAL DISTRICTS AND TO THE TERMS OF COURT IN GRAFTON COUNTY.

SECTION

1. Laws creating judicial districts in Grafton county repealed.
2. Provision saving actions pending according to former laws.
3. Terms of supreme court for Grafton county.
4. Provision saving writs returnable and business in order according to former laws.

SECTION

5. When grand juries shall attend.
6. Provision for continuances.
7. Petit jurors, from what towns summoned.
8. Repealing clause ; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. So much of chapter 21 of the Public Statutes and so much of any other existing act or law as divides the county of Grafton into judicial districts is hereby repealed.

Laws creating
judicial districts in Grafton county
repealed.

SECT. 2. All writs, process, and other court proceedings now pending in the supreme court for either of the judicial districts as heretofore existing shall be in order and treated as pending at the next term of the supreme court for the county of Grafton at the time and place therefor herein provided, the same as if originally made returnable there and then or previously continued thereto, and after the passage of this act all writs and other process to be entered in said court in said county shall be made returnable at the next term for which due notice or service can be given or made.

Provision
saving actions pending
according to former laws.

SECT. 3. The terms of said court for the county of Grafton shall be held as follows, viz.: On the first Tuesday in May at Plymouth ; on the second Tuesday in September at Haverhill ; on the third Tuesday in November at Lebanon. A term shall also be held on the third Tuesday of February, at which writs and process may be entered, actions defaulted or nonsuited, answers made, orders considered and determined, trials had by agreement on issues to the court, and judgments ordered. A

Terms of supreme court
for Grafton county.

jury or juries may be summoned for attendance at said term only for extraordinary cause in the discretion of the court. Said February term shall be held at Haverhill in 1902, at Plymouth in 1903, at Lebanon in 1904, and thereafterwards at those places in rotation in the same order.

Provision
saving writs
returnable
and business
in order ac-
cording to
former laws.

SECT. 4. All writs or other process issued or made returnable, prior to the time when this act shall take effect, to any term of said court in either of said judicial districts as heretofore existing shall be in order and treated as duly returnable at the first term occurring under the provisions of this act. All business which would be in order or pending before said court at the next term in each of the said judicial districts as heretofore existing shall be in order and pending for disposition in said first term under the provisions of this act, the same as if originally continued to, entered, pending, or in order for disposition in it. If notice or service in any proceeding shall have been given of the entry or pendency of any writ, petition, bill, or other process for any term other than the first term provided for by this act, new notice may be ordered and served as justice may require. Trial of causes pending in said court for said county shall be had in the judicial district, as heretofore existing, in which the parties or either of them reside, provided that the court for cause may order a trial in any district as heretofore existing, subject to such terms as the court may deem equitable.

When grand
juries shall
attend.

SECT. 5. Grand juries shall be summoned for attendance at each of said terms provided for by this act, unless the court or some justice thereof in vacation, at the request of the attorney-general and solicitor, shall seasonably advise the clerk of court for said county that the summoning of a grand jury, for the next term following the date of such advice, is not required.

Provision for
continuances.

SECT. 6. Continuances of matters and things pending before said court at any of the terms provided for by this act, unless such matters and things are to be disposed of in vacation, shall be to the next term of said court wherever it shall be held under the provisions of this act in said county.

Petit jurors;
from what
towns sum-
moned.

SECT. 7. Jurors for service at each of the three places above specified may be summoned from the towns in the territory constituting the judicial district in which such shire town is situated, as such district existed at the time of the passage of this act.

Repealing
clause; act
takes effect
on passage.

SECT. 8. This act shall take effect on its passage and all acts and parts of acts inconsistent with its provisions are hereby repealed.

[Approved February 20, 1901.]

CHAPTER 25.

AN ACT AMENDING SECTIONS 17, 38, 40, 98, 102, AND 130 OF CHAPTER 59 OF THE SESSION LAWS OF 1895, IN RELATION TO THE MILITIA.

SECTION

1. Adjutant-general to apply sums received for military property lost and destroyed, or sold and condemned, to use of National Guard; regimental and battalion field and staff; brigade commander and staff; officers may be ordered to

SECTION

- purchase rations for enlisted men; pay for care of certain records; officers may be placed on retired list after ten years' service.
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That sections 17, 38, 40, 98, 102, and 130 of chapter 59 of the Session Laws of 1895 shall be and hereby are amended. Adjutant-general to apply certain funds to use of National Guard.

That section 17 shall be amended by adding thereto after the word "expense," in the last line, the following words: All sums which have been or may hereafter be received by the adjutant-general for military property lost or destroyed, or condemned and sold by authority of the commander-in-chief, shall be applied to the use of the National Guard by the adjutant-general, and shall be accounted for by him to the governor and council, so that said section shall read:

SECT. 17. He shall deliver from the arsenals suitable camp equipage, tents, and utensils for use of a regiment or brigade, when a regimental or brigade encampment is ordered, and after such encampment receive and carefully keep the same for the use of troops next ordered into camp; and if such equipage is not in the arsenals at the time of such encampment being ordered by the commander-in-chief, he shall purchase or provide such camp equipage, tents, and utensils as may be required, and the governor is authorized to draw his warrant for the necessary cost or expense. All sums which have been or may hereafter be received by the adjutant-general for military property lost or destroyed, or condemned and sold by authority of the commander-in-chief, shall be applied to the use of the National Guard by the adjutant-general and shall be accounted for by him to the governor and council.

That section 38 shall be amended by striking out the words, "each with the rank of captain," after the word "chaplain" in the ninth line and the word "each" in the eleventh line, and inserting the words, each with the rank of captain, after the word "vacant" in the eleventh line, so that said section shall read:

SECT. 38. To each regiment of infantry there shall be one colonel, one lieutenant-colonel, one major for each four com-

Regimental and battalion field and staff.

panies, and a regimental staff, to be appointed by the colonel and removable at his pleasure, to consist of one surgeon with the rank of major, one assistant surgeon with the rank of captain, both of whom shall be graduates of some incorporated school of medicine and shall be practicing physicians, one paymaster who shall be the mustering officer and who shall give the bond required in section 23, and one chaplain, one adjutant, one quartermaster who shall act as paymaster when the office of paymaster is vacant, each with the rank of captain, and one inspector of rifle practice, with the rank of first lieutenant, and a non-commissioned staff, to consist of one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, one hospital steward who shall be a registered pharmacist, one drummajor, and one chief trumpeter, who shall be regularly enlisted.

Brigade commander and staff.

That section 40 shall be amended by striking out the word "and" after the word "counsellor-at-law" in the seventh line, and the words "one quartermaster" after the word "major" in the eighth line, and inserting the words, and one quartermaster, after the word "practice" in the eighth line, so that said section shall read :

SECT. 40. To each brigade there shall be a brigadier-general, who shall appoint and may remove at pleasure one assistant adjutant-general, one medical director who shall be a graduate of some incorporated school of medicine and a practicing physician, each with the rank of lieutenant-colonel; one assistant inspector-general who shall be the mustering officer for unattached companies, one judge-advocate who shall be a counsellor-at-law, one inspector of rifle practice, and one quartermaster, each with the rank of major; one commissary, two aides-de-camp, each with the rank of captain; and a non-commissioned staff consisting of one sergeant-clerk, one trumpeter, and one color-bearer, each of whom shall rank as sergeants of cavalry; one quartermaster-sergeant, who shall rank as post quartermaster-sergeant; and one hospital steward who shall be a registered pharmacist,—all of whom shall be regularly enlisted. He shall also enlist, or cause to be enlisted, a signal corps and a hospital corps. The assistant inspector-general of the brigade shall be liable to be detailed as assistant to the inspector-general, in which case he shall report directly to the inspector-general.

Officers may be ordered to purchase rations for enlisted men.

That section 98 shall be amended by adding to the section after the word "dollars," in the last line, the words, provided that the commander-in-chief may, in his discretion, order the proper officers to purchase and issue rations to the enlisted men during an encampment, in which case the actual cost of the rations for each man shall be deducted from his pay for attendance at such encampment, so that said section shall read :

SECT. 98. The adjutant-general shall act as paymaster-general, and shall have the general charge and supervision of all expenses and pay for the militia in the service of the state. There shall be paid for attendance and performance of duty of such officers and soldiers as shall be specially ordered for duty by the

commander-in-chief, or to attend encampments, parades, and schools of instruction as provided in this title, to each the following sum for each day actually on duty, the inspector-general excepted: To brigadier-generals, seven dollars; to colonels, six dollars; to lieutenant-colonels, five dollars; to majors, four dollars and fifty cents; to captains mounted, four dollars; to captains not mounted, three dollars and fifty cents; to lieutenants mounted, three dollars and fifty cents; to lieutenants not mounted, three dollars; to non-commissioned staff officers, two dollars and fifty cents; to first sergeants, two dollars and fifty cents; to band musicians, two dollars and fifty cents; to sergeants and corporals, two dollars; to musicians and privates, two dollars; *provided*, that the commander-in-chief may, in his discretion, order the proper officers to purchase and issue rations to the enlisted men during an encampment, in which case the actual cost of the rations for each man shall be deducted from his pay for attendance at such encampment.

That section 102 shall be amended by striking out the word "ten" after the word "records" in the third line and inserting the word forty after the word "records" in the third line, so that said section shall read:

Pay for care
of certain
records.

SECT. 102. There shall be paid to the assistant adjutant-general of the brigade, and to each adjutant of regiments, for the care and preservation of records, forty dollars per annum.

That section 130 shall be amended by adding thereto after the word "service" in the last line the following words: Any commissioned officer who shall have served as such in the New Hampshire National Guard continuously for a period of not less than ten years, may at his own request, or upon his honorable discharge from the service of the state, be placed upon the retired list, to be kept hereafter in the office of the adjutant-general. Officers so retired shall receive no pay or allowance but are permitted to wear the uniform of their grade upon all public occasions, so that said section shall read:

Officers may
be placed on
retired list
after ten
years' service.

SECT. 130. The commander-in-chief is hereby authorized to confer upon such citizens of this state as shall have faithfully served as commissioned officers in the New Hampshire National Guard continuously for the term of fifteen years, a brevet rank of not more than one grade higher than the highest grade held by them during their term of service. Any commissioned officer who shall have served as such in the New Hampshire National Guard continuously for a period of not less than ten years, may at his own request, or upon his honorable discharge from the service of the state, be placed upon the retired list, to be kept hereafter in the office of the adjutant-general. Officers so retired shall receive no pay or allowance but are permitted to wear the uniform of their grade upon all public occasions.

SECT. 2. That all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

Repealing
clause; act
takes effect
on passage.

[Approved February 20, 1901.]

CHAPTER 26.

AN ACT TO AMEND SECTION 2, CHAPTER 30, PUBLIC STATUTES, AND SECTION 12 OF CHAPTER 43 OF THE PUBLIC STATUTES, TO PROVIDE FOR THE COLLECTION AND COMPILATION OF ACCURATE STATISTICS OF PAUPERISM AND POOR RELIEF.

SECTION

1. County officers to prepare pauper statistics.
2. Overseers of poor to prepare pauper statistics.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

County officers to prepare pauper statistics.

SECTION 1. Amend section 2, chapter 30 of the Public Statutes, by striking out all after the word "aforesaid" and inserting in its place the following: And shall be prepared in a uniform manner alike in each county, so that accurate statistics can be compiled from them, to wit: Total cost of maintaining a county farm; total amount of outdoor relief given; number and list of paupers maintained at the farm, including number and list of insane, also the number and list of feeble-minded; and the number and list of prisoners, together with the cost per capita per week at the county farms, computed by the same method in each county; number and list of people helped outside the farm and the towns in which they reside; and said county commissioners shall return such statistics to the state board of charities on or before the first day of October in each year, on blanks furnished by the board.

Overseers of poor to prepare pauper statistics.

SECT. 2. Amend section 12 of chapter 43 of the Public Statutes by adding thereto the following: And overseers of the poor shall keep full and accurate records of the paupers fully supported, the persons relieved and partially supported, and the travelers and vagrants lodged at the expense of their respective towns, together with the amount paid by them for such support and relief, and said overseers shall make an annual return of the number of said persons supported and relieved, with the cost of such support and relief, to the state board of charities on or before the first day of October in each year, on blanks furnished by said board.

Repealing clause; act takes effect on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 20, 1901.]

CHAPTER 27.

AN ACT IN AMENDMENT TO CHAPTER 269 OF THE PUBLIC STATUTES,
RELATING TO THE SALE OF POISONS.

SECTION 1. Sale of woven fabric or paper containing arsenic prohibited.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Chapter 269 of the Public Statutes is hereby amended by adding thereto another section as follows :

Sale of woven fabric or paper containing arsenic prohibited.

"SECT. 16. Any corporation, person, firm, or agent who shall sell or offer for sale or exchange any woven fabric or paper containing arsenic in any form, or any article of dress or of household use composed wholly or in part of such woven fabric or paper, or any article of dress containing arsenic, shall, upon conviction thereof, be fined not exceeding one hundred dollars ; *provided, however,* that this section shall not apply to dress goods or articles of dress containing not more than one one-hundredth grain, nor to other material containing not more than one tenth grain of arsenic per square yard of the material."

[Approved February 20, 1901.]

CHAPTER 28.

AN ACT TO SEVER CERTAIN TERRITORY FROM THE TOWN OF LIVERMORE AND ANNEX THE SAME TO THE TOWN OF LINCOLN.

SECTION

1. Territory severed from Livermore and annexed to Lincoln.
2. Indebtedness and pauper liability adjusted.
3. Adjustment of taxes on polls and estates.

SECTION

4. Adjustment of public taxes.
5. Takes effect upon performance of terms specified.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. All that part of the town of Livermore, which is drained by the East branch of the Pemigewasset river, and such of its tributaries as enter it at points above the northerly line of the town of Woodstock, is hereby severed from the town of

Territory severed from Livermore and annexed to Lincoln.

Livermore, and annexed to and made part of the town of Lincoln. The boundary lines of said annexed territory shall be established and marked with suitable monuments by a competent civil engineer, to be agreed upon by the boards of selectmen of said towns; and in case of their failure to so agree, any justice of the supreme court, may, upon the petition of the selectmen of either of said towns, appoint some competent and disinterested civil engineer to establish and mark said boundary lines as aforesaid. It shall be the duty of the engineer who shall establish said boundary lines to make and file in the office of the secretary of state, a complete return of his doings, together with a plan of the annexed territory; and the boundaries so established shall be binding and conclusive upon each of said towns. The expense of establishing such new boundary lines shall be borne by the town of Lincoln.

Indebtedness
and pauper
liability ad-
justed.

SECT. 2. Said town of Lincoln shall be accountable for and pay over to said town of Livermore the sum of two thousand and fifty dollars, with interest thereon from the first day of January, A. D. 1901; said sum being treated for the purposes of this act as the just share of said Lincoln in the net indebtedness of said town of Livermore. And said town of Lincoln shall also pay two third parts of the expense for the relief and maintenance of the paupers who may, by reason of settlement heretofore gained, be chargeable to and supported by said town of Livermore. And in case the selectmen of said towns shall not agree with regard to the future support and maintenance of said paupers, any justice of the supreme court, upon the application of the selectmen of either of said towns, may appoint some suitable and disinterested referee, or referees, who, after notice and hearing, shall determine the same and make such award in writing, as they shall consider just, according to the provisions of this act; which award shall be binding and conclusive.

Adjustment
of taxes on
polls and
estates.

SECT. 3. All taxes assessed for the fiscal years of 1899 and 1900 upon the polls and estates of persons residing within the limits of the territory annexed to the town of Lincoln, and upon estates of non-residents in said territory, shall, before this act shall take effect, be paid to the treasurer of the town of Livermore, by the persons against whom said taxes have been assessed, and shall be applied, the same as if this act had not been passed.

Adjustment
of public
taxes.

SECT. 4. Of every thousand dollars of public taxes hereafter to be raised, the proportion which the said town of Livermore shall pay, and for which the treasurer shall issue his warrant, shall be forty-two cents, and the proportion which said town of Lincoln shall pay, and for which the treasurer shall issue his warrant, shall be one dollar and eighty-three cents, and the town of Lincoln shall also pay two thirds of all taxes assessed by the county of Grafton upon the property now embraced within the limits of said town of Livermore. And the treasurer of the county of Grafton shall issue his warrant for the payment of said two thirds against the town of Lincoln.

SECT. 5. This act shall take effect upon the performance of the matters and things above specified, as conditions on which it shall take effect; but it shall be of no effect if such performance shall not be accomplished within six months from the end of this session of the General Court. If this act shall fail to take effect according to the terms aforesaid, then the proper town officers of the town of Livermore shall have authority to correct and revise the assessment of persons and property of Livermore according to the conditions existing by reason of such failure of this act; which revised assessment shall be binding upon said persons and property, as if legally made at the usual time of making assessments upon persons and property within said town.

Takes effect
upon per-
formance of
conditions.

[Approved February 20, 1901.]

CHAPTER 29.

AN ACT TO AMEND SECTION 1, CHAPTER 184 OF THE PUBLIC STATUTES, RELATIVE TO THE TIMES AND PLACES FOR HOLDING COURTS OF PROBATE; REPEALING CHAPTER 43 OF THE SESSION LAWS OF 1899.

SECTION

1. Terms of probate court for Rockingham county.

SECTION

2. Takes effect May 1, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of chapter 184 of the Public Statutes is hereby amended by striking out all of said section after the second line and inserting instead the following:

Terms of
probate court
in Rocking-
ham county.

For the county of Rockingham,—at Exeter, on the fourth Tuesday of each month except August; at Portsmouth on the first Tuesday of January, March, May, July, September, and November; at Derry on the first Tuesday of February and October, on the second Tuesday of June, and on the third Tuesday of December; at Raymond on the first Tuesday of April and December, and on the third Tuesday of July.

SECT. 2. This act shall take effect on and after the 1st day of May, 1901.

Takes effect
May 1, 1901.

[Approved February 27, 1901.]

CHAPTER 30.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 10 OF THE PUBLIC STATUTES, AND TO CHANGE THE NAME OF THE NEW HAMPSHIRE ASYLUM FOR THE INSANE.

SECTION

1. Name changed.

SECTION

2. New name substituted in laws.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name
changed.

SECTION 1. Section 1 of chapter 10 of the Public Statutes is hereby amended by striking out the words "Asylum for the Insane," and inserting in place thereof the words State Hospital, so that, when amended, the section will read: The Asylum for the Insane at Concord is a corporation under the name of the New Hampshire State Hospital.

New name
substituted.

SECT. 2. Wherever the words "New Hampshire Asylum for the Insane" occur in the subsequent sections of chapter 10, and in laws passed in amendment thereof, the words New Hampshire State Hospital shall be substituted.

[Approved February 27, 1901.]

CHAPTER 31.

AN ACT IN RELATION TO THE NEW HAMPSHIRE ASYLUM FOR THE INSANE.

SECTION

1. Appropriation of \$15,000 for New Hampshire Asylum for the Insane.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Appropriation of \$15,000 for Asylum for Insane.

SECTION 1. That the sum of fifteen thousand dollars be and hereby is appropriated to the New Hampshire Asylum for the Insane to enable said asylum to erect upon its farm a house for its head farmer; to construct new fireproof elevator shafts and elevators in the several buildings occupied by patients; to construct in the former laundry building a new room for a bakery, and purchase two continuous baking ovens; to renew the floors and ceilings in the Kent building, and the floor in the sewing-room; to introduce new plumbing in the administration and chapel buildings; to construct a fireproof stairway and fire-escape from the chapel building and the apartments in the building adjoining thereto used by employees; and that the governor be hereby authorized to draw his warrant for said sum to be paid out of any money in the treasury not otherwise appropriated.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 27, 1901.]

CHAPTER 32.

AN ACT IN AMENDMENT OF SECTIONS 1 AND 2 OF CHAPTER 126 OF
THE PUBLIC STATUTES, RELATING TO SALES OF CERTAIN ARTICLES.

SECTION

1. Weight of bread regulated; penalty
for unlawful sale.

SECTION

2. Repealing clause; act takes effect on
passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

SECTION 1. Amend section 1 of said chapter by inserting be-
tween the words "one" and "two" in the second line of said
section the words one and one half, and amend section 2 of
said chapter by striking out all after the word "shall" in the
second line of said section and inserting the words, weigh less
than the requirements of the preceding section, he shall be fined
ten dollars for each offense, so that sections 1 and 2 shall read
as follows:

SECTION 1. Loaves of soft bread offered for sale shall weigh
either half a pound, or one, one and a half, two, three, or four
pounds each; and soft biscuits shall weigh either four or eight
ounces each.

SECT. 2. If any one shall sell or offer for sale any loaves of
soft bread or any soft biscuits that shall weigh less than the
requirements of the preceding section, he shall be fined ten dol-
lars for each offense.

SECT. 2. All acts and parts of acts inconsistent with this act
are hereby repealed, and this act shall take effect upon its pas-
sage.

Weight of
bread regu-
lated; penalty
for unlawful
sale.

Repealing
clause; act
takes effect
on passage.

[Approved February 27, 1901.]

CHAPTER 33.

AN ACT PROVIDING FOR THE APPOINTMENT OF PUBLIC WEAIGHERS
AND DEFINING THEIR POWERS AND DUTIES.

SECTION

1. Public weighers, appointment and
tenure of office.
2. To weigh coal and hay at expense of
seller.
3. Not to act if party to sale, or servant
of party.
4. Sale to town, certificate of weight by
seller.

SECTION

5. Merchandise other than coal or hay,
buyer may require certificate.
6. Fees of weighers.
7. Towns may erect scales.
8. Penalty for violations.
9. In force only where adopted.
10. Repealing clause; act takes effect on
passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

SECTION 1. Any town or city may appoint one or more
public weighers of coal or other merchandise. Such weighers

Public
weighers, ap-
pointment
and tenure of
office.

shall be appointed in towns by the board of selectmen and in cities by the body which appoints the city sealers of weights and measures, and shall hold office during the term of office of the body by which they are appointed, and until their successors are chosen and qualified, subject, however, to removal at any time by the body from which they derive their appointment.

To weigh coal and hay at expense of seller.

SECT. 2. All coal and hay sold by weight in any city or town adopting the provisions of this act shall be weighed by one of such public weighers, at the expense of the seller. The weigher shall deliver to the seller or his agent, a certificate of the weight of all merchandise weighed by him, which certificate shall be delivered by the seller to the buyer or his agent at the time of the delivery of such merchandise. The weigher shall keep a record of all such certificates, which record shall at all times be open to inspection by any person interested therein.

Not to act if party to sale or servant of party.

SECT. 3. No person shall act as a public weigher of coal or other merchandise of which he is either the buyer or seller, or a servant or agent of the buyer or seller, or in the sale whereof he has any interest.

Sale to town, certificate by seller.

SECT. 4. Every person selling to any city or town by weight any merchandise the weight whereof is more than one hundred pounds, shall furnish therewith the certificate of a public weigher of said city or town at his own expense.

Merchandise other than coal or hay, buyer may require certificate.

SECT. 5. Any person, not a city or town, purchasing by weight any merchandise the weight whereof is more than one hundred pounds, other than coal or hay, may require therewith the certificate of a public weigher of the city or town in which such purchaser resides, such certificate to be delivered with said merchandise at the expense of the seller.

Fees of weighers.

SECT. 6. Public weighers shall be paid such fees, not exceeding ten cents for each weighing and the certificate and record thereof, as shall be prescribed by the body by which they are appointed, which shall be in full for the use of their scales, for the certificates furnished by them, for the recording thereof, and for all services performed by them in their official capacity.

Towns may erect scales.

SECT. 7. Any city or town may appropriate money for and may erect and maintain public scales within the limits of any public highway, or on any lands leased or purchased by them of the owners, and shall have power for this purpose to lease or purchase such lands or to take them in the same manner as lands are taken for public highways.

Penalty for violations.

SECT. 8. Any person who shall sell any merchandise without furnishing therewith the certificate of a public weigher as required by the provisions of this act, or any public weigher who, on tender to him of his lawful fees, shall refuse to perform any duty imposed upon him by the provisions of this act, shall be punished by a fine of not more than twenty dollars.

In force only where adopted.

SECT. 9. This act shall be in force only in such cities and towns as shall, by lawful vote of the town or of the city council, adopt its provisions. When lawfully adopted in any city or town, it shall continue in force until the vote by which it was adopted shall be rescinded.

SECT. 10. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved February 27, 1901.]

CHAPTER 34.

AN ACT RELATING TO ACCEPTANCE OF DONATION OF LANDS IN CARROLL COUNTY FOR PUBLIC USE AND PROVIDING FOR CARE OF SAME.

SECTION

1. State may accept conveyance of Cathedral and White Horse ledges and hold same for public use.
2. Board of custodians to manage and care for property.
3. Board to choose chairman and clerk, and make report.

SECTION

4. Board may make rules and regulations for protection of property.
5. Punishment for violation of rules and regulations.
6. Board may receive, invest, and expend funds donated.
7. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The secretary of state is hereby authorized and empowered, on behalf of the state, from time to time to receive from Daniel Merriman and others deeds of gift conveying to the state the Cathedral and White Horse ledges, so called, and lands contiguous thereto, situate in the towns of Conway, and Bartlett, and Hale's Location, and any other lands in Carroll county suitable for the uses hereinafter specified and dedicated to such uses by the donors thereof,—the same to be held by the state for the public use and benefit, and perpetually preserved for such uses free from all impairment, depredation, or defacement. State may accept Cathedral and White Horse ledges and hold same for public use.

SECT. 2. The management, improvement, and care of all property conveyed to the state as aforesaid shall be vested in a board of three custodians, to be appointed by the governor with the advice of the council, and to serve without salary. Two, at least, of such board shall be residents of said Conway or Bartlett, and one may be a non-resident taxpayer in either of said towns. The first members of the board shall be appointed for two, four, and six years respectively, and their successors shall thereafter be appointed for terms of six years. Management of property vested in board of custodians.

SECT. 3. Said board of custodians shall choose from their number a chairman and a clerk, and shall cause a correct record of their proceedings to be kept. They shall, when required by the governor and council, make a full report of all their official acts and of the condition of the property in their charge. Board to choose chairman and clerk, and make report.

May make
rules and
regulations.

SECT. 4. Said board of custodians may make such rules and regulations as may be required to protect and preserve said property from injury or disfigurement, all such rules and regulations to be posted upon said property and at two public places in the towns of Conway and Bartlett, and in any other towns in which any part of such property may be located.

Punishment
for violation
of rules and
regulations.

SECT. 5. If any person shall violate any rule or regulation of said board of custodians, he shall be fined not exceeding twenty dollars or be imprisoned not exceeding six months.

Board may
receive, in-
vest, and ex-
pend funds
donated.

SECT. 6. Said board of custodians may receive, hold, and invest such permanent funds as may be donated for the purpose of providing for the expense of preserving and improving such property, and may also receive and expend for the care, preservation, and improvement of the same the income from such permanent funds and such subscriptions or donations as may be made from time to time for such purposes.

Takes effect
on passage.

SECT. 7. This act shall take effect upon its passage.

[Approved February 27, 1901.]

CHAPTER 35.

AN ACT TO REGULATE THE SALE OF CONCENTRATED COMMERCIAL FEEDING-STUFFS.

SECTION

1. Packages, how to be marked.
2. Term "Concentrated commercial feeding-stuffs" includes what.
3. Certificate of analysis to be filed with secretary of board of agriculture.
4. License fee required.
5. Samples to be analyzed by secretary of board of agriculture.

SECTION

6. Penalty for violations.
7. Adulteration of meal or ground grain, punishment.
8. Secretary of board of agriculture to prosecute violations.
9. Takes effect December 1, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

Packages,
how to be
marked.

SECTION 1. Every manufacturer, company, or person, who shall sell, offer, or expose for sale or for distribution in this state any concentrated commercial feeding-stuff used for feeding farm live-stock, shall furnish with each car or other amount shipped in bulk and shall affix to every package of such feeding-stuff, in a conspicuous place on the outside thereof, a plainly printed statement clearly and truly certifying the number of net pounds in the package sold or offered for sale, the name or trademark under which the article is sold, the name of the manufacturer or shipper, the place of manufacture, the place of business, and a chemical analysis stating the percentages it contains of crude protein, allowing one per centum of nitrogen to equal six and one fourth per centum of protein, and of crude fat, both constituents to be determined by the methods prescribed by the as-

sociation of official agricultural chemists. Whenever any feeding-stuff is sold at retail in bulk or in packages belonging to the purchaser, the agent or dealer, upon request of the purchaser, shall furnish to him the certified statement named in this section.

SECT. 2. The term "concentrated commercial feeding-stuffs," as used in this act, shall include linseed meals, cottonseed meals, pea-meals, cocoanut meals, gluten meals, gluten feeds, maize feeds, starch feeds, sugar feeds, dried brewer's grains, malt sprouts, hominy feeds, cerealine feeds, rice meals, oat feeds, corn and oat chops, ground beef or fish scraps, mixed feeds, and all other materials of similar nature; but shall not include hays and straws, the whole seeds nor the unmixed meals made directly from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, and broom corn; neither shall it include wheat, rye, and buckwheat brans or middlings, not mixed with other substances, but sold separately, as distinct articles of commerce, nor pure grains ground together.

Term "concentrated commercial feeding-stuffs" includes what.

SECT. 3. Before any manufacturer, company, or person shall sell, offer, or expose for sale in this state any concentrated commercial feeding-stuffs, he or they shall, for each and every feeding-stuff bearing a distinguishing name or trademark, file annually during the month of December with the secretary of the board of agriculture a certified copy of the statement specified in the preceding section, said certified copy to be accompanied, when the secretary shall so request, by a sealed glass jar or bottle containing at least one pound of the feeding-stuff to be sold or offered for sale, and the company or person furnishing said sample shall thereupon make affidavit that said sample corresponds within reasonable limits to the feeding-stuff which it represents, in the percentage of protein and fat which it contains.

Certificate of analysis to be filed with secretary of board of agriculture.

SECT. 4. Each manufacturer, importer, agent, or seller of any concentrated commercial feeding-stuffs, shall pay annually during the month of December to the secretary of the board of agriculture a license fee of twenty dollars. Whenever a manufacturer, importer, agent, or seller of concentrated commercial feeding-stuffs desires at any time to sell such material and has not paid the license fee therefor in the preceding month of December, as required by this section, he shall pay the license fee prescribed herein before making any such sale. The amount of license fees received by said secretary pursuant to the provisions of this section shall be paid by him to the treasurer of the State of New Hampshire. The treasurer of the State of New Hampshire shall pay from such amount when duly approved the moneys required for the expense incurred in making the inspection required by this act and enforcing the provisions thereof. The secretary of the board of agriculture shall report biennially to the legislature the amount received pursuant to this act, and the expense incurred for salaries, laboratory expenses, chemical supplies, traveling expenses, printing, and other necessary matters. Whenever the manufacturer, importer, or shipper of concentrated commercial feeding-stuff shall have filed the statement required by section

License fee required.

1 of this act and paid the license fee as prescribed in this section, no agent or seller of such manufacturer, importer, or shipper shall be required to file such statement or pay such fee.

Samples to be analyzed by secretary of board of agriculture.

SECT. 5. The secretary of the board of agriculture shall annually cause to be analyzed at the New Hampshire College Agricultural Experiment Station, at least one sample, to be taken in the manner hereinafter prescribed, of every concentrated commercial feeding-stuff sold or offered for sale under the provisions of this act. Said secretary shall cause a sample to be taken, not exceeding two pounds in weight, for said analysis, from any lot or package of such commercial feeding-stuff which may be in the possession of any manufacturer, importer, agent, or dealer in this state; but said sample shall be drawn in the presence of the parties in interest, or their representatives, and taken from a parcel or a number of packages, which shall not be less than ten per centum of the whole lot sampled, and shall be thoroughly mixed, and then divided into two equal samples, and placed in glass vessels and carefully sealed and a label placed on each stating the name of the party from whose stock the sample was drawn and the time and place of drawing, and said label shall also be signed by the person taking the sample, and by the party or parties in interest or their representatives at the drawing and sealing of said samples; one of said duplicate samples shall be retained by the secretary and the other by the party whose stock was sampled, and the sample or samples retained by the secretary shall be for comparison with the certified statement named in section 3 of this act. The result of the analysis of the sample or samples so procured, together with such additional information as circumstances advise, shall be published in reports or bulletins from time to time.

Penalty for violations.

SECT. 6. Any manufacturer, importer, or person who shall sell, offer, or expose for sale or for distribution in this state any concentrated commercial feeding-stuff, without complying with the requirements of this act, or any feeding-stuff which contains substantially a smaller percentage of the constituents than are certified to be contained, shall, on conviction in a court of competent jurisdiction, be fined not more than one hundred dollars for the first offense, and not more than two hundred dollars for each subsequent offense.

Adulteration of meal or ground grain, punishment.

SECT. 7. Any person who shall adulterate any kind of meal or ground grain with milling or manufacturing offals, or any other substance whatever, for the purpose of sale, unless the true composition, mixture, or adulteration thereof is plainly marked or indicated upon the package containing the same or in which it is offered for sale; or any person who knowingly sells, or offers for sale, any meal or ground grain which has been so adulterated unless the true composition, mixture, or adulteration is plainly marked or indicated upon the package containing the same, or in which it is offered for sale, shall be fined not less than twenty-five or more than one hundred dollars for each offense.

SECT. 8. Whenever said secretary becomes cognizant of the violation of any of the provisions of this act he shall prosecute the party or parties thus reported; but it shall be the duty of said secretary, upon thus ascertaining any violation of this act, to forthwith notify the manufacturer, importer, or dealer in writing, and give him not less than thirty days thereafter in which to comply with the requirements of this article; but there shall be no prosecution in relation to the quality of any concentrated commercial feeding-stuff if the same shall be found substantially equivalent to the certified statement named in section 3 of this article.

Secretary of
board of agri-
culture to
prosecute
violations,
when.

SECT. 9. This act shall take effect December first, nineteen hundred and one.

Takes effect
December 1,
1901.

[Approved February 27, 1901.]

CHAPTER 36.

AN ACT RELATING TO THE OPENING OF LITTLE DIAMOND POND IN STEWARTSTOWN AND GREENOUGH PONDS IN WENTWORTH'S LOCATION AND DUBLIN POND IN THE TOWN OF DUBLIN.

SECTION

1. Protection of square-tail trout in Little Diamond, Greenough, and Dublin ponds.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. It shall not be lawful for any person to take from the waters of Little Diamond pond in Stewartstown, and Greenough ponds in Wentworth's Location, and Dublin pond in the town of Dublin, any square-tail trout before the twentieth day of May in any year, under a penalty of twenty dollars for each fish so taken, or had in possession.

Trout pro-
tected in cer-
tain ponds.

SECT. 2. This act to take effect on its passage.

Takes effect
on passage.

[Approved February 28, 1901.]

CHAPTER 37.

AN ACT TO PROTECT THE FISHING IN SPOFFORD LAKE IN TOWN OF
CHESTERFIELD.

SECTION

1. Fishing in Spofford lake regulated.

SECTION

2. Takes effect upon passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Fishing regulated.

SECTION 1. It shall not be lawful to catch, kill, or destroy in any manner any fish in Spofford lake in the town of Chesterfield during the months of April, May, and June, in any year, under a penalty of five dollars' fine for each fish so taken or destroyed.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 28, 1901.]

CHAPTER 38.

AN ACT FOR THE PROTECTION OF HOMING PIGEONS.

SECTION

1. Killing or trapping of homing pigeons prohibited.

SECTION

2. Penalty for violation.

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Homing pigeons protected.

SECTION 1. It shall be unlawful for any person to shoot or otherwise kill or maim any Antwerp or homing pigeon, commonly called "carrier" pigeon, or for any person other than the owner to entrap, catch, or detain any such carrier pigeon, providing such pigeon shall at the time have the name of the owner stamped upon its wing or tail or have a seamless band with the owner's initial or number upon its leg.

Penalty for violation.

SECT. 2. Any person violating the provisions of this act shall be fined not less than ten dollars for each offense nor more than twenty-five dollars, or imprisoned not exceeding six months, or both.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 28, 1901.]

CHAPTER 39.

AN ACT IN AMENDMENT OF CHAPTER 27 OF THE PUBLIC STATUTES,
RELATING TO COUNTY COMMISSIONERS.

SECTION 1. County commissioners to have charge and care of county paupers.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Strike out section 6 of said chapter, and insert instead thereof the following: They shall have the charge and care of county paupers and shall provide for their support upon the county farm or elsewhere as required by law, and when expedient they may appoint agents in the several towns to investigate applications and look after the county poor in such towns.

[Approved February 28, 1901.]

CHAPTER 40.

AN ACT TO PROHIBIT THE TAKING OF FISH THROUGH THE ICE
FROM THE WATERS OF NEWFOUND OR PASQUANEY LAKE.

SECTION

1. Ice fishing in Newfound lake prohibited.

SECTION

2. Penalty for violation.

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Newfound or Pasquaney lake in the towns of Bristol, Bridgewater, Hebron, and Alexandria, being a lake used by the fish and game commissioners for spawning or breeding purposes, is hereby closed against winter or ice fishing, and it shall not be lawful to catch or take in any manner through the ice any kinds of fish in the waters of said lake hereafter, until such time as the same shall be reopened to winter fishing by the fish and game commissioners.

SECT. 2. Any person violating the provisions of this act shall be fined twenty dollars for each offense, or shall be imprisoned thirty days, or both.

SECT. 3. This act shall take effect upon its passage.

[Approved February 28, 1901.]

Takes effect
on passage.

CHAPTER 41.

AN ACT IN RELATION TO INJURIES TO THE PROPERTY OF PERSONS AND CORPORATIONS ENGAGED IN THE SALE AND MANUFACTURE OF ELECTRICITY AND THE UNLAWFUL DIVERSION AND USE OF ELECTRICITY.

SECTION 1. Diversion of electricity and malicious injuries to property used in manufacture and sale of electricity prohibited.

Be it enacted by the Senate and House of Representatives in General Court convened:

Diversion of electricity and malicious injuries to electric property prohibited.

SECTION 1. If any person shall wantonly and maliciously injure or destroy, or cause to be injured or destroyed, any meter, pipe, conduit, wire, line, post, lamp, or other apparatus belonging to a person or corporation engaged in the manufacture or sale of electricity for the purpose of heat, light, or power, or shall wantonly and maliciously prevent an electric meter from duly registering the quantity of electricity supplied, or cause it to be done, or shall in any way wantonly and maliciously interfere with its proper action or just registration, or without the consent of such person or corporation shall wantonly and maliciously divert electric current from any wire of such person or corporation, or shall cause it to be done, or shall otherwise wantonly and maliciously use or cause to be used the electric current from the wire of such person or corporation without the consent of such person or corporation, he shall be fined not exceeding three hundred dollars and be liable to pay treble damages to such person or corporation in an action on the case.

[Approved February 28, 1901.]

CHAPTER 42.

AN ACT IN AMENDMENT OF CHAPTER 19 OF THE LAWS OF 1897, IN RELATION TO THE SALE OF RAILWAY STOCKS UPON APPRAISAL BY THE RAILROAD COMMISSIONERS OR AT PUBLIC AUCTION.

SECTION

1. Increased capital stock of railroad corporations, how disposed of.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Increased capital stock of railroad corporations, how disposed of.

SECTION 1. Chapter 19 of the Laws of 1897 is hereby amended by striking out section 3 of said chapter and substituting the following in place thereof:

SECT. 3. Whenever a railroad corporation increases its capital stock under the provisions of this act, the new shares to the number necessary to produce the amount necessary for the

purposes for which such increase is authorized shall be offered proportionately to its stockholders at not less than the market value thereof at the time of increase, as shall be determined by the board of railroad commissioners, taking into account previous sales of stock of the corporation and other pertinent conditions. The directors shall cause written notice of such increase to be given to each stockholder who was such at the date of the vote to increase, stating the amount of such increase and the proportion thereof in shares or portions of shares which he would be entitled to receive on a division of the same, and the price fixed by the railroad commissioners as hereinbefore provided at which he is entitled to take the same, and fixing a time, not less than fifteen days from the date of such notice, within which he may subscribe for such additional stock, and each stockholder may, within the time fixed, subscribe for his portion of such stock, and the same shall be paid for in cash on the issue of a certificate therefor; *provided*, that when the increase in the capital stock does not exceed four per cent of the existing capital stock of the corporation, the directors may dispose of the same in the manner hereinafter provided in this section without first offering the same to the stockholders. If, after the expiration of the notice above provided for, any shares of such stock remain unsubscribed for by the stockholders entitled to take them, the directors shall sell the same at auction. All shares of stock to be disposed of at auction under the provisions of this act shall be offered for sale to the highest bidder in the city of Boston, or in such city or town as may be prescribed by the railroad commissioners; and notice of the time and place of such sale shall be published at least five times during the ten days immediately preceding the time fixed for the sale, in such daily newspapers, not less than three in number, as may be prescribed by the commissioners. No share shall be sold or issued for a less sum, to be actually paid in cash, than the par value thereof.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage.

Repealing
clause; act
takes effect
on passage.

[Approved February 28, 1901.]

CHAPTER 43.

AN ACT TO REGULATE THE SALE OF FERTILIZERS.

SECTION

1. Packages, how to be marked.
2. Analysis and sample to be furnished secretary of board of agriculture.
3. Analysis fees required.
4. Pulverized leather, hair or wool waste, sale of regulated.
5. Penalties for violations.

SECTION

6. Parties manufacturing and importing for own use excepted.
7. Analysis to be made by secretary of board of agriculture.
8. License fees, how expended.
9. Repealing clause; act takes effect July 1, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

Packages,
how to be
marked.

SECTION 1. Every lot or parcel of commercial fertilizer or fertilizer material sold or offered or exposed for sale within this state shall be accompanied by a plainly printed statement, clearly and truly certifying the number of net pounds of fertilizer in the package, the name, brand, or trademark under which the fertilizer is sold, the name and address of the manufacturer or importer, the location of the factory, and a chemical analysis stating the percentage of nitrogen, of potash soluble in distilled water, of phosphoric acid in available form soluble in distilled water, and reverted, and of total phosphoric acid.

Analysis and
sample to be
furnished.

SECT. 2. Before any commercial fertilizer is sold, or offered or exposed for sale, the manufacturer, importer, or party who causes it to be sold, or offered for sale, within this state shall file with the secretary of the board of agriculture a certified copy of the statement named in section 1 of this act, and shall also deposit with said secretary, at his request, a sealed glass jar or bottle containing not less than one pound of the fertilizer, accompanied by an affidavit that it is a fair average sample thereof.

Analysis fees
required.

SECT. 3. The manufacturer, importer, agent, or seller of any brand of commercial fertilizer or fertilizer material shall pay for each brand on or before the first day of March, annually, to the secretary of the board of agriculture an analysis fee as follows, namely: ten dollars for the phosphoric acid, five dollars for the nitrogen, and five dollars for the potash, contained or claimed to be in the said brand of fertilizer, but the fee for any brand shall not exceed fifteen dollars; *provided*, that whenever the manufacturer or importer shall have paid the fee herein required, any person acting as agent or seller for such manufacturer or importer shall not be required to pay the fee named in this section.

Pulverized
leather, etc.,
sale of regu-
lated.

SECT. 4. No person shall sell, or offer or expose for sale, in this state, any pulverized leather, hair or wool waste, raw, steamed, roasted, or in any form as a fertilizer without an explicit printed certificate of the fact conspicuously affixed to every package of such fertilizer.

Penalties for
violations.

SECT. 5. Any person selling, or offering or exposing for sale, any commercial fertilizer without the statement required by the first section of this act, or with a label stating that said fertilizer

contains a larger percentage of any one or more of the constituents mentioned in said section than is contained therein, or respecting the sale of which all the provisions of the foregoing sections have not been fully complied with, shall forfeit fifty dollars for the first offense and one hundred dollars for each subsequent offense.

SECT. 6. This act shall not affect parties manufacturing or importing fertilizers for their own use and not to sell in this state. Exceptions.

SECT. 7. The secretary of the board of agriculture shall annually cause to be analyzed at the New Hampshire College Agricultural Experiment Station one or more samples of every commercial fertilizer or fertilizer material sold or offered for sale under the provisions of this act. Said secretary shall cause a sample to be taken, not exceeding two pounds in weight, for said analysis, from any lot or package of such fertilizer or fertilizer material which may be in the possession of any manufacturer, importer, agent, or dealer in this state; but said sample shall be drawn in the presence of the parties in interest or their representatives and taken from a parcel or a number of packages, which shall not be less than ten per cent of the whole lot sampled, and shall be thoroughly mixed and then divided into equal samples and placed in glass vessels and carefully sealed and a label placed on each, stating the name or brand of the fertilizer or material sampled, the name of the party from whose stock the sample was drawn, and the time and place of drawing, and said label shall also be signed by the person taking the sample and by the party or parties in interest, or their representative present at the drawing and sealing of said samples; one of said duplicate samples shall be retained by the secretary and the other by the party whose stock was sampled; and the sample retained by the secretary shall be for comparison with the certified statement named in section 1. The result of the analysis of the samples shall be published from time to time, together with such additional information as circumstances may advise, in reports of bulletins by the New Hampshire College Agricultural Experiment Station and in the biennial report of the state board of agriculture. All parties violating this act shall be prosecuted by the secretary of the board of agriculture. Analysis to be made by secretary of board of agriculture.

SECT. 8. The amount of license fees received by said secretary by virtue of this act shall be paid by him to the treasurer of the State of New Hampshire. The treasurer of the State of New Hampshire shall pay from such amount, when duly approved, the moneys required for the expense incurred in making the inspection required by this act and enforcing the provisions thereof. Said expenses shall include those incurred for laboratory expenses, chemical supplies, traveling expenses, printing, and other necessary matters. License fees, how expended.

SECT. 9. This act shall take effect July first, nineteen hundred and one, and all acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause; act takes effect July 1, 1901.

[Approved February 28, 1901.]

CHAPTER 44.

AN ACT RELATING TO OFFENSES AGAINST THE PERSON.

SECTION

1. Kidnapping of minor child, how punished.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Kidnapping,
how pun-
ished.

SECTION 1. Every person who shall abduct, take, carry away, or conceal any minor child with the intent thereby to exact from any person a reward for its discovery or return, shall be imprisoned not exceeding thirty years nor less than five years.

Takes effect
on passage.

SECT. 2. This act shall take effect from and after its passage.

[Approved February 28, 1901.]

CHAPTER 45.

AN ACT TO PROVIDE FOR UNIFORM BLANKS AND UNIFORM RULES OF PRACTICE AND PROCEDURE IN THE COURTS OF PROBATE.

SECTION

1. Committee to prepare rules of probate procedure and probate blanks.
2. Committee to be paid expense incurred.

SECTION

3. Repealing clause.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Committee to
prepare rules
of probate
procedure
and probate
blanks.

SECTION 1. A committee composed of three judges and two registers of the probate courts, to be appointed by the governor immediately upon the passage of this act, shall prepare before the first Tuesday of July, nineteen hundred and one, rules of practice and procedure in said courts, also blanks for use in said courts, which rules and blanks shall be submitted to the supreme court for approval; and when approved by the last named court, or a majority of the justices thereof, said rules of practice and procedure shall take effect and be in force in all courts of probate, and no other blanks shall be used in the courts of probate, for the purposes for which said blanks are intended, after two years from the time of the approval thereof as herein provided. And such a committee, appointed at any time by the governor, at the request in writing of a majority of the judges of the probate courts, may make new rules and blanks, or amendments to existing rules and blanks, which new rules and blanks, or amended rules and blanks, shall, when approved by the supreme court, or a majority of the justices thereof, take effect and be in force in all courts of probate.

SECT. 2. Said committee or committees so appointed shall make a report to the governor of such expense as may have been incurred in carrying out the provisions of this act, and upon the approval of the same by the governor and council, the same shall be allowed and paid in the same manner as other claims against the state.

Committee to be paid expense incurred.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SECT. 4. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 28, 1901.]

CHAPTER 46.

AN ACT AUTHORIZING THE BOARD OF RAILROAD COMMISSIONERS TO MAKE CHANGES IN THE ROUTE OF PROPOSED RAILWAYS.

SECTION

1. Railroad commissioners may recommend change in route of proposed street railway.
2. If recommendation adopted by court, associators may signify assent.

SECTION

3. If change recommended in proposed extension of existing road, assent how made.
4. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The board of railroad commissioners to whom may have been referred the question whether the public good requires a proposed street railway, and whether the public good requires that it shall be built on the route specifically set forth in the petition, shall have the power to recommend such changes in the route described in the petition as in their judgment the public good and the interests of the petitioners may require; and shall also have the power to consider and report to the court, whether the public good requires the building of the proposed street railway over a part or parts of the route set forth in the petition, and in their report to the court to fix the termini and route as thus considered. The court shall thereupon, after hearing such parties as desire to be heard, decide the questions raised by the petition and the report of the commissioners and cause a record of their decision to be made.

Railroad commissioners may recommend change in route of proposed street railway.

SECT. 2. If the court shall decide that the proposed railway be established with the route or termini so changed as recommended by the commissioners' report, twenty-five or more of the associators in the provisional corporation may signify their assent to such changes in the route or termini either by vote at a duly called meeting or by written agreement and, if an attested copy of said vote or said written agreement shall be filed with the secretary of state within thirty days from the day on

If recommendation adopted by court, associators may signify assent.

which the court caused a record of its decision to be made, the secretary of state shall issue to the corporation the certificate required by Public Statutes, chapter 156, section 14, and such vote or written agreement shall be taken and deemed to be an amendment of the original articles of agreement of said provisional corporation.

If change recommended in proposed extension of existing road, assent how made.

SECT. 3. If on the petition of a railroad to build an extension or branch, the route or termini set forth in the original petition shall be changed in the method herein provided, by a final decision of the court in the proceedings had thereon, the petitioner may, within thirty days after the record of the decision of the court, file in the office of the secretary of state the assent of the directors of the petitioner, and shall thereupon have the authority to proceed as provided in Public Statutes, chapter 156, section 19.

Repealing clause; act takes effect on passage.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on its passage.

[Approved February 28, 1901.]

CHAPTER 47.

AN ACT IN AMENDMENT OF CHAPTER 135, PUBLIC STATUTES, RELATING TO THE SALE OF DRUGS AND MEDICINES.

SECTION

1. Commission of pharmacy to enforce laws relating to sale of drugs and medicines.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Commission of pharmacy to enforce laws relating to sale of drugs and medicines.

SECTION 1. The following section shall be added to chapter 135 of the Public Statutes, and shall be known as section 12 of said chapter :

SECT. 12. It shall be the duty of the commissioners to enforce the provisions of this chapter. For actual services and necessary expenses in the performance of this duty, they shall be paid from the state treasury such sums as the governor and council may determine and approve.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1901.]

CHAPTER 48.

AN ACT TO EXEMPT THE NEW HAMPSHIRE ORPHANS' HOME FROM
TAXATION.

SECTION

1. Exempt from taxation.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The New Hampshire Orphans' Home, being a charitable institution without profit to any person, the property thereof is hereby exempt from taxation.

Exempt from taxation.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 7, 1901.]

CHAPTER 49.

AN ACT TO AMEND CHAPTER 54, SESSION LAWS OF 1895, RELATING
TO THE SUPPORT OF PAUPERS AFTER CONFINEMENT IN PUBLIC
INSTITUTIONS.

SECTION 1. Counties liable for support of certain paupers.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 1 of said chapter by inserting after the words "or other charitable institution," the words, or the New Hampshire State Prison, so that said section shall read as follows:

Counties liable for support of certain paupers.

Any person who shall become a pauper or public charge while at any orphans' home, hospital, home for the aged, or other charitable institution, or the New Hampshire State Prison, or within three months after leaving such institution, shall be chargeable for support to the county in which he last resided before entering such institution, unless such person has a settlement in some town, or some other county is liable for his support.

[Approved March 7, 1901.]

CHAPTER 50.

AN ACT TO AMEND THE LAWS OF 1895, CHAPTER 116, ENTITLED
 “AN ACT TO PROVIDE FOR THE EDUCATION AND MAINTENANCE
 OF DEPENDENT MINOR CHILDREN.”

SECTION

1. State board of charities may appoint
 salaried secretary.

SECTION

2. Repealing clause; act takes effect on
 passage.

*Be it enacted by the Senate and House of Representatives in General
 Court convened:*

State board of
 charities may
 appoint
 salaried sec-
 retary.

SECTION 1. Amend section 7 of the said act by adding thereto the following: And the said state board of charities shall be authorized to appoint a secretary from outside its membership who, under the direction of the board, shall give his entire time to the duties of the board, act as visiting agent to the placed-out children, and supervisor of volunteer visitors, and perform such other duties, under the direction of the board, as may rightfully belong to his office. The salary of the secretary and clerk may be fixed by the board, but in the aggregate shall not exceed two thousand dollars per annum; so that said section shall read as follows:

SECT. 7. The reasonable expenses of said state board of charities shall be paid by the governor and council out of any funds in the treasury not otherwise appropriated, and the said state board of charities shall be authorized to appoint a secretary from outside its membership, who, under the direction of the board, shall give his entire time to the duties of the board, act as visiting agent to the placed-out children, and supervisor of volunteer visitors, and perform such other duties, under the direction of the board, as may rightfully belong to his office. The salary of the secretary and a clerk may be fixed by the board, but in the aggregate shall not exceed two thousand dollars per annum.

Repealing
 clause; act
 takes effect
 on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 7, 1901.]

CHAPTER 51.

AN ACT IN AMENDMENT OF CHAPTER 27, LAWS OF 1895, RELATING TO THE ISSUE OF STOCK AND BONDS BY STREET RAILWAY COMPANIES.

SECTION

1. Issue of capital stock regulated when street railway companies are consolidated.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 17 of chapter 27 of the Laws of 1895 is hereby amended by adding after the word "authorized" in line eight of said section as printed in the Laws of 1895, the words following: In determining the amount of capital stock and of bonds which may be issued in case of the authorized consolidation of two or more railroad corporations and in case of the authorized purchase by one railroad of the property and franchises of another, the railroad commissioners may consider the value of the franchises as well as the value of the tangible property, so that said section as amended shall read:

SECT. 17. Street railway companies, whether such companies are organized under this act, or general laws, or special charter, and however authorized to issue capital stock and bonds, shall hereafter issue only such amounts of stock and bonds as may from time to time, upon investigation by the board of railroad commissioners, be deemed and be voted by them to be reasonably requisite for the purposes for which such issue of stock or bonds has been authorized. In determining the amount of capital stock and of bonds which may be issued in case of the authorized consolidation of two or more railroad corporations and in case of the authorized purchase by one railroad of the property and franchises of another, the railroad commissioners may consider the value of the franchises as well as the value of the tangible property. The said board shall announce a decision within thirty days from the date of the last hearing, upon the application of any street railway company for permission to issue such stock or bonds. The provisions of this section shall not apply to bonds already executed and in the hands of trustees under existing mortgages to secure the same.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 7, 1901.]

CHAPTER 52.

AN ACT TO AMEND CHAPTER 95 OF THE PUBLIC STATUTES, RELATING TO THE STATE NORMAL SCHOOL.

SECTION 1. Annual appropriation for State Normal School.

Be it enacted by the Senate and House of Representatives in General Court convened:

Annual
appropriation
for State
Normal
School.

SECTION 1. Section 8 of the Public Statutes, as amended by chapter 63 of the Session Laws of 1893, is hereby amended by striking out the word "ten" and inserting instead thereof the word fifteen, so that said section shall read as follows:

SECT. 8. The sum of fifteen thousand dollars is annually appropriated for the maintenance of the school, to be expended as the trustees shall direct.

[Approved March 7, 1901.]

CHAPTER 53.

AN ACT IN RELATION TO RANGES FOR RIFLE PRACTICE FOR THE NEW HAMPSHIRE NATIONAL GUARD.

SECTION

1. Annual appropriation for rifle ranges for National Guard.

SECTION

2. Governor authorized to draw warrant; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Annual
appropriation
for rifle
ranges for
National
Guard.

SECTION 1. That the sum of fifty dollars be and hereby is annually appropriated and allowed for each company of infantry, the troop of cavalry, and the light battery of the New Hampshire National Guard, the same to be used exclusively for the preparation and maintenance of suitable ranges for rifle practice for the said companies, troop, and battery; *provided*, that no organization shall receive the said sum until proper vouchers for its expenditure, approved by the inspector of rifle practice, have been filed with the adjutant-general, and *also provided*, that no organization shall be entitled to receive the allowance a second year unless at least seventy-five per cent of the members have qualified as third-class marksmen during the preceding practice season, and have been certified as such by the inspector of rifle practice.

Governor
authorized to
draw war-
rant; act
takes effect
on passage.

SECT. 2. The governor is hereby authorized to draw his warrant for such sums as may be necessary to carry out the provisions of this act, and this act shall take effect upon its passage.

[Approved March 7, 1901.]

CHAPTER 54.

AN ACT RELATING TO THE POWERS OF TOWNS.

SECTION

1. Towns may provide Grand Army
halls.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

SECTION 1. Any town or city, in which a Post of the Grand Army of the Republic is located, may raise and appropriate money for the purpose of providing a hall, or other suitable place, for the meetings of such Post. Towns may
provide
Grand Army
halls.

SECT. 2. This act shall take effect on its passage.

Takes effect
on passage.

[Approved March 7, 1901.]

CHAPTER 55.

AN ACT TO EXEMPT CERTAIN FUNDS FROM ATTACHMENT.

SECTION

1. Certain damages exempt from at-
tachment.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

SECTION 1. Damages recovered for the conversion of property exempt from attachment are hereby exempted from attachment or levy on execution. Exempt from
attachment.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 7, 1901.]

CHAPTER 56.

AN ACT IN AMENDMENT OF CHAPTER 286, SECTION 5, OF THE PUBLIC STATUTES, RELATING TO SALARIES AND COMPENSATION OF CERTAIN OFFICERS.

SECTION 1. Salary of state treasurer.

Be it enacted by the Senate and House of Representatives in General Court convened:

Salary of
state
treasurer.

SECTION 1. That section 5, chapter 286 of the Public Statutes be amended by striking out the words "eighteen hundred" in the second line of said section and inserting in place thereof the words, twenty-five hundred, so that said section as amended will read as follows:

SECT. 5. The annual salary of the state treasurer shall be twenty-five hundred dollars, which shall be in full for his services, clerk hire, and allowances of every kind, except as provided in the following section.

[Approved March 7, 1901.]

CHAPTER 57.

AN ACT TO PROVIDE FOR THE BETTER PRESERVATION OF CHECK-LISTS USED AT PRESIDENTIAL ELECTIONS.

SECTION

1. Certain check-lists to be sent to state library and New Hampshire Historical Society.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

To state li-
brary and
N. H. Histori-
cal Society.

SECTION 1. Supervisors of towns and corresponding officers of cities shall, on or before January 1 succeeding each presidential election hereafter, send to the New Hampshire Historical Society and to the state library each a copy of the check-list used in said presidential election duly and properly certified by such supervisors.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 7, 1901.]

CHAPTER 58.

AN ACT RELATIVE TO SENTENCES TO THE STATE PRISON.

SECTION

1. Maximum and minimum terms shall be fixed.
2. Release upon permit at expiration of minimum sentence.

SECTION

3. Additional sentences.
4. Convicts held upon two or more sentences.
5. Repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. When a convict is sentenced to the state prison otherwise than for life, or as an habitual criminal, the court imposing the sentence shall not fix the term of imprisonment, but shall establish a maximum and minimum term for which said convict may be held in said prison. The maximum term shall not be longer than the longest term fixed by law for the punishment of the offense of which he is convicted, and the minimum term shall not be less than the minimum sentence now provided by law. Maximum and minimum terms shall be fixed.

SECT. 2. Any convict, sentenced as aforesaid, whose record of conduct shows that he has faithfully observed all the rules of said prison, and has not been subjected to punishment, shall be entitled to release from said prison upon the expiration of the minimum term of his sentence, and he shall then be given a permit to be at liberty therefrom during the unexpired portion of the maximum term of his sentence. Said permit shall be issued by the governor and council upon such terms and conditions as they shall establish. Any convict whose record of conduct shows that he has violated the rules of said prison may be given a like permit at such time as the said governor and council shall determine after the expiration of the minimum term of his sentence. The governor and council may revoke any permit given in accordance with this section at any time before the expiration of the maximum term for which it was issued, and they shall revoke it when they have knowledge that the person to whom it was granted has been convicted of any offense punishable by imprisonment. If the holder of a permit, issued as aforesaid, violates any of its terms or conditions, or violates any law of the state, before the expiration of said maximum term, and is convicted thereof either before or after such expiration, said permit shall be void. Release upon permit at expiration of minimum term.

SECT. 3. When a convict, who has been sentenced to the state prison, in accordance with the provisions of this act, receives an additional sentence under said act, such additional sentence shall take effect upon the expiration of the minimum term of the preceding sentence. Additional sentences.

SECT. 4. When a convict is held in the state prison upon two or more sentences imposed under this act, he shall be eligible to receive permit as authorized in section 2, when he has Convicts held upon two or more sentences.

served a term equal to the aggregate of the minimum terms of the several sentences, but he shall be subject to all the provisions of this act, until the expiration of a term equal to the aggregate of the maximum term of said sentence.

Repealing
clause.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed.

[Approved March 7, 1901.]

CHAPTER 59.

AN ACT TO PROTECT AND REGULATE THE USE OF THE NAME OR TITLE OF VETERINARY SURGEON OR V. S.

SECTION

1. Persons using title to be registered.
2. Board of veterinary examiners.
3. Expenses of board paid by fees.
4. Meetings for examination and registration.
5. Certain persons excepted.

SECTION

6. Registration on payment of fee.
7. Registration after examination.
8. Records of board.
9. Penalty for illegal use of title.
10. Takes effect June 1, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

To be reg-
istered.

SECTION 1. No person shall use the name or title of veterinary surgeon, or V. S., in this state after the first day of June, 1901, unless such person shall be registered in accordance with this act.

Board of
veterinary
examiners.

SECT. 2. Within sixty days after the passage of this act, the governor shall appoint a board of three veterinary examiners, so appointed that the term of office of one member shall expire each year during the first three years, and that the members thereafter appointed shall hold office three years, or until successors are appointed and qualified. Each veterinary examiner shall receive a commission of his appointment from the governor and shall file forthwith with the secretary of state the constitutional oath of office.

Expenses
paid by fees.

SECT. 3. From the fees provided in this act, the board of veterinary examiners shall pay all proper expenses incurred by the provisions of this act.

Meetings for
examination
and registra-
tion.

SECT. 4. The board of veterinary examiners shall hold meetings for the purpose of registration and examination at such times and in such towns or cities as the board may determine. Examinations shall be in English and embrace such subjects as materia medica, practical chemistry, physiology, anatomy, surgery, pathology. Applicants who shall pass the prescribed examination shall be registered and granted the right to use the name or title of veterinary surgeon, or V. S.

SECT. 5. This act shall not apply to persons who at the time of the passage of this act are engaged in the practice of veterinary surgery and medicine. Certain persons excepted.

SECT. 6. Any person who, after April first, 1901, desires to practice veterinary surgery and medicine in this state and who is a graduate of a lawfully constituted college or institution of veterinary science shall be granted registration and entitled to use the name or title of veterinary surgeon, or V. S., by paying to the board of veterinary examiners the sum of two dollars. Registration on payment of fee.

SECT. 7. Any person who, after April first, 1901, not being a graduate as described in the preceding section, may desire registration, shall apply to the board of veterinary examiners for examination as to his qualifications, and such person, upon passing such examination, shall be granted registration and entitled to use the name or title of veterinary surgeon, or V. S., by paying to the board of veterinary examiners the sum of five dollars. Registration after examination.

SECT. 8. The board of veterinary examiners shall keep a record book in which shall be entered the names of all persons who comply with the provisions of this act, and the said record book shall be open to public inspection. Records of board.

SECT. 9. Any person who shall use the name or title of veterinary surgeon, or V. S., in contravention to the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof shall be fined for each offense the sum of fifty dollars. Penalty for illegal use of title.

SECT. 10. This act shall take effect June 1, 1901.

Takes effect June 1, 1901.

[Approved March 7, 1901.]

CHAPTER 60.

AN ACT TO REGULATE EMPLOYMENT OFFICES.

SECTION

1. To be licensed; penalty.
2. License, by whom granted.
3. License, form and record.
4. Fee for license.

SECTION

5. License, when granted.
6. Valid only in place designated.
7. Revocation of license.
8. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Whoever, without a license therefor, establishes or keeps an intelligence office for the purpose of obtaining or giving information concerning places of employment for domestics, servants, or other laborers, or for the purpose of procuring or giving information concerning such person for or to employers, or for the purpose of procuring or giving information concerning employment in business, shall pay a fine of ten dollars for each day such office is so kept. To be licensed; penalty.

License, by whom granted.

SECT. 2. The mayor and aldermen of any city, or the selectmen of any town, may, for the purposes mentioned in the preceding section, grant licenses to suitable persons, subject to the provisions of sections 3 to 7, inclusive, and may revoke the same at pleasure.

License, form and record.

SECT. 3. Licenses granted to keepers of intelligence offices shall be signed by the clerk of the city or town in which they are granted, and every such license shall be recorded by the clerk of the city or town in a book kept for that purpose, before being delivered to the licensee. Such license shall set forth the name of the person licensed, the nature of the business, and the building or place in such city or town in which it is to be carried on, and shall continue in force until the first day of May next ensuing, unless sooner revoked.

Fee for license.

SECT. 4. The board issuing such a license shall receive for the use of the city or town for each license such sum not less than two dollars as the board shall deem reasonable.

When granted.

SECT. 5. Such license may be granted during the month of April, to take effect on the first day of May then next ensuing.

Valid only in place designated.

SECT. 6. No license issued as aforesaid shall be valid to protect the holder thereof in a building or place other than that designated in the license, unless consent to removal is granted by the mayor and aldermen or selectmen.

Revocat on of license.

SECT. 7. When such license is revoked, such clerk shall note the revocation upon the face of the record of the license, and shall give written notice to the holder of the license by delivering the same to him in person or leaving it at the place of business designated in the license.

Takes effect on passage.

SECT. 8. This act shall take effect upon its passage.

[Approved March 7, 1901.]

CHAPTER 61.

AN ACT TO AMEND CHAPTER 93 OF THE PUBLIC STATUTES, RELATING TO SCHOLARS.

SECTION

1. Children under twelve years not to be employed in manufacturing establishments; children under fourteen years not to be employed, when; employment of children under sixteen years regulated; employment

SECTION

of illiterate minors regulated; penalty for violations; parents and guardians to send children to school; enforcement of laws.

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Chapter 93 of the Public Statutes is hereby amended by striking out sections 10, 11, 12, 13, 14, and 15, and inserting the following instead thereof:

SECT. 10. No child under the age of twelve years shall be employed in any manufacturing establishment. No child under the age of fourteen years shall be employed in any manufacturing establishment, nor in any mechanical, mercantile, or other employment during the time in which the public schools are in session in the district in which he resides. Children under twelve years not to be employed in manufacturing establishments; children under four years not to be employed, when.

SECT. 11. No child under the age of sixteen years shall be employed in any manufacturing establishment, or in any mechanical, mercantile, or other employment, during the time in which the public schools are in session in the district in which he resides, without first presenting a statement of his age from his parent or guardian, sworn to before the superintendent of schools or, if there is no superintendent of schools, by some person authorized by the school board of the district in which such child is employed. Employment of children under sixteen years regulated.

And no child under the age of sixteen years shall be employed as aforesaid during the time in which the public schools are in session in the district in which he resides without first presenting a certificate from the superintendent of schools or, if there is no superintendent of schools, some person authorized by the school board, that such child can read at sight and write legibly simple sentences in the English language. And any superintendent of schools or person authorized by the school board who certifies falsely as to matters prescribed by this section shall be fined not less than twenty nor more than fifty dollars for each offense.

SECT. 12. No minor shall be employed in any manufacturing establishment, or in any mechanical, mercantile, or other employment, who cannot read at sight and write legibly simple sentences in the English language, while a free public evening school is maintained in the district in which he resides, unless he is a regular attendant at such evening school or at a day school; *provided*, that upon presentation by such minor of a certificate signed by a regular practicing physician, and satisfactory to the superintendent of schools, or, where there is no superintendent of schools, the school board, showing that the physical condition of such minor would render such attendance in addition to daily labor prejudicial to his health, said superintendent of schools or school board shall issue a permit authorizing the employment of such minor for such period as said superintendent of schools or school board may determine. Said superintendent of schools or school board, or teachers acting under authority thereof, may excuse any absence from such evening school arising from justifiable cause. Any parent, guardian, or custodian who permits to be employed any minor under his control in violation of the provisions of this section shall forfeit not more than twenty dollars for the use of the evening schools of such town or city. Employment of illiterate minors regulated.

SECT. 13. If any owner, agent, superintendent, or overseer of a manufacturing, mechanical, or mercantile establishment, or any other person, shall employ any child in violation of the provis- Penalty for violations.

ions of either of the three preceding sections, he shall be fined not exceeding fifty dollars for each offense, for the use of the district.

Parents and guardians to send children to school.

SECT. 14. Every person having the custody and control of a child between the ages of eight and fourteen years, residing in a school district in which a public school is annually taught, shall cause such child to attend the public school all the time such school is in session, unless the child shall be excused by the school board of the district because his physical or mental condition is such as to prevent his attendance at school for the period required, or because he was instructed in the English language in a private school approved by the school board for a number of weeks equal to that in which the public school was in session in the common English branches or, having acquired those branches, in other more advanced studies. Any person who does not comply with the requirements of this section shall be fined ten dollars for the first offense and twenty dollars for every subsequent offense, for the use of the district.

Enforcement of laws.

SECT. 15. The state superintendent of public instruction shall have authority to enforce the laws relating to attendance at school and the employment of minors, and, for this purpose, he and any deputy appointed by him shall be vested with the powers given by law to truant officers when authorized by school boards to enforce the laws relating to attendance at school and the employment of children. And the expenses necessarily incurred by the state superintendent in such enforcement shall be paid, as audited and allowed by the governor and council.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1901.]

CHAPTER 62.

AN ACT AUTHORIZING TOWNS TO EMPLOY COUNSEL IN LEGISLATIVE MATTERS.

SECTION

1. Towns may employ legislative counsel.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Towns may employ legislative counsel.

SECTION 1. Towns may at any legal meeting authorize the employment by the selectmen of counsel in legislative matters in which the town is directly or indirectly interested, or may ratify the previous employment by the selectmen of such counsel and may grant and vote money therefor.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 8, 1901.]

CHAPTER 63.

AN ACT TO PROHIBIT THE DEPOSIT OF SAWDUST, SHAVINGS, OR OTHER REFUSE, IN GILFORD AND POOR FARM BROOKS, IN THE TOWN OF GILFORD.

SECTION

1. Deposit of sawdust prohibited.

SECTION

2. Takes effect September 1, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. No person or corporation shall put or place, or cause to be put or placed, any sawdust, shavings, or other refuse, or waste, in Gilford or Poor Farm brooks, in the town of Gilford; and any person or corporation violating the provisions of this act shall be punished by a fine not exceeding one hundred dollars.

Deposit of
sawdust pro-
hibited;
penalty.

SECT. 2. This act shall take effect September first, A. D. 1901.

Takes effect
September 1,
1901.

[Approved March 14, 1901.]

CHAPTER 64.

AN ACT RELATING TO THE COLLECTION OF COUNTY TAXES.

SECTION

1. Collection of county tax not paid by town.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. When the taxes granted by a county convention and assessed against any town shall remain unpaid after the first day of December in the year in which such tax is due and payable, such town shall be chargeable with interest upon such unpaid tax at the rate of ten per cent per annum from said first day of December, for the use of the county, and the county treasurer may enforce the payment of such interest in the same manner as he may enforce the payment of such tax.

Collection of
county tax
not paid by
town.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 14, 1901.]

CHAPTER 65.

AN ACT TO AMEND SECTION 1, CHAPTER 104, LAWS OF 1899, RELATING TO THE SALARY OF THE SECRETARY OF STATE.

SECTION

1. Salary of secretary of state.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Salary of
secretary of
state.

SECTION 1. Section 1 of chapter 104 of the Laws of 1899 is hereby amended by striking out the words "twenty-five hundred dollars" and inserting in the place thereof the words, three thousand dollars, so that said section as amended shall read as follows:

SECTION 1. Chapter 286 of the Public Statutes is hereby amended by striking out all of section 3 and inserting the following: Sect. 3. The annual salary of the secretary of state shall be three thousand dollars, which shall be in full for his services. He shall render an account to the governor and council of all fees received by him for civil commissions, for making and giving copies and certificates to individuals for private use, and of all other fees received by him for official acts, quarterly on the last days of March, June, September, and December of each year, and shall pay the amount thereof to the state treasurer for the use of the state.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 14, 1901.]

CHAPTER 66.

AN ACT IN RELATION TO MORTGAGES BY CORPORATIONS.

SECTION

1. Corporation may mortgage property thereafter acquired.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
may mort-
gage property
thereafter ac-
quired.

SECTION 1. Any corporation making a mortgage of its property and franchises to secure its bonded or other indebtedness may include therein property and franchises it may thereafter acquire.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 20, 1901.]

CHAPTER 67.

AN ACT TO AMEND SECTION 14 OF CHAPTER 169 OF THE PUBLIC STATUTES, AS AMENDED BY CHAPTER 64 OF THE LAWS OF 1899, RELATING TO THE TAXATION OF INSURANCE COMPANIES.

SECTION 1. Taxes to be paid by foreign insurance companies.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 14 of chapter 169 of the Public Statutes, as amended by section 1 of chapter 64 of the Laws of 1899, by striking out the word "and" in the first line and inserting after the word "marine" in the first line the words, fidelity and casualty, so that said section 14 shall read as follows:

Every such fire, marine, fidelity, and casualty insurance company shall pay to the state treasurer within one month after receiving notice from the insurance commissioner of the amount thereof, a tax of two per cent upon the gross premiums received by it, less return premiums and reinsurance, when effected in authorized companies by the company's licensed resident agents upon business done within the state during the year ending on the 31st day of the preceding December, as assessed by the commissioner, and all other such insurance companies shall pay to the state treasurer within one month after receiving notice from the insurance commissioner of the amount thereof a tax of one per cent upon the premiums received by them upon business done within the state during the year ending on the 31st day of the preceding December as assessed by the commissioner.

[Approved March 20, 1901.]

CHAPTER 68.

AN ACT AMENDING CHAPTER 149 OF THE PUBLIC STATUTES BY REPEALING SECTION 22 THEREOF AND CREATING A SUBSTITUTE.

SECTION 1. Voting by proxy at stockholders' meetings regulated.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 22 of chapter 149 of the Public Statutes is hereby repealed and the following new section enacted in place thereof:

SECT. 22. Except in railroad corporations, any person being authorized by a writing under the hand of a stockholder entitled to vote by proxy, filed with the clerk or cashier, may vote as proxy in the right of such stockholder; but no person shall vote as proxy for shares exceeding one eighth of the whole capital

Taxes to be paid by foreign insurance companies.

Voting by proxy at stockholders' meetings regulated.

stock; nor shall any stockholder, acting as proxy for another stockholder, vote in his own right and as such proxy on more than one eighth of the capital stock.

[Approved March 20, 1901.]

CHAPTER 69.

AN ACT TO PROTECT THE AMMONOOSUC RIVER IN CARROLL, BETHLEHEM, LITTLETON, LISBON, AND BATH, AND ITS TRIBUTARIES, FROM POLLUTION BY SAWDUST AND OTHER WASTE.

SECTION	SECTION
1. Sawdust and other substances not to be deposited.	2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Sawdust and other substances not to be deposited; penalty.

SECTION 1. No person or corporation shall put or place, or cause or allow to be put or placed, any sawdust, shavings, edgings, chips, bark, or other waste, from wood-work establishments, into Ammonoosuc river, or its tributaries, in the towns of Carroll, Bethlehem, Littleton, Franconia, Lisbon, and Bath. Any person or corporation violating the provisions of this act shall be punished by a fine of not exceeding one hundred dollars for each offense.

Takes effect on passage.

SECT. 2. This act shall take effect August 1, 1904.

[Approved March 20, 1901.]

CHAPTER 70.

AN ACT FOR THE PROMOTION OF HORTICULTURE.

SECTION	SECTION
1. Appropriation for New Hampshire Horticultural Society.	3. Report to secretary of board of agriculture.
2. Account to governor and council.	

Be it enacted by the Senate and House of Representatives in General Court convened:

Appropriation for New Hampshire Horticultural Society.

SECTION 1. The sum of three hundred dollars is hereby annually appropriated for the years 1901 and 1902 for the use of the New Hampshire Horticultural Society, to be expended under the direction of the state board of agriculture in promoting the horticultural interests of the state.

SECT. 2. The society shall annually, in the month of January, render to the governor and council an itemized account of the uses to which the appropriation of the year has been applied. Account to governor and council.

SECT. 3. The secretary and treasurer of the society shall seasonably make to the secretary of the state board of agriculture a report of the transactions of the society, which shall be incorporated in the agricultural report. Report to secretary of board of agriculture.

[Approved March 20, 1901.]

CHAPTER 71.

AN ACT IN AMENDMENT OF CHAPTERS 5 AND 6 OF THE PUBLIC STATUTES, WITH REFERENCE TO STATE PUBLICATIONS.

SECTION

1. Journals of house and senate, how distributed.
2. Annual reports, how bound and distributed.
3. Early state papers, how distributed.

SECTION

4. Publications to be delivered to state librarian.
5. Repealing clause.
6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 10 of chapter 5 of the Public Statutes is hereby amended by striking out the words "and to each town in the state" at the end and inserting in place thereof the following: to each public library in the state, and to each town in the state having no public library which shall request the same, and to such publishers of newspapers requesting the same as keep such open to public use, so that said section shall read as follows: Journals of house and senate, how distributed.

SECT. 10. The secretary, as soon as he receives the printed journals from the public printer, shall send one copy thereof to each of the following named officers and bodies: To each person composing the executive and legislative branches of the government; to the secretary, treasurer, and adjutant-general; to each of the clerks of the senate and house; to each public library in the state, and to each town in the state having no public library, which shall request the same, and to such publishers of newspapers requesting the same as keep such open to public use.

SECT. 2. Section 11 of said chapter 5 of the Public Statutes is hereby amended by striking out the words "six hundred and fifty" in the first and second lines thereof and inserting in place thereof the words four hundred, and by striking out the words "to the clerk of each town, for the use of the town" in the fifth line of said section and inserting in place thereof the words, to each public library in the state, and to each town in the state having no public library, which shall request the same, and Annual reports, how bound and distributed.

to such publishers of newspapers requesting the same as keep such open to public use, so that said section shall read as follows:

SECT. 11. The secretary of state shall cause four hundred copies of the several annual reports of state officers and institutions to be bound together in one or more volumes, and, as soon as may be after their publication, shall send one copy thereof to each public library in the state, and to each town in the state having no public library, which shall request the same, and to such publishers of newspapers requesting the same as keep such open to public use, and shall deposit the remainder in the state library.

Early state papers, how distributed.

SECT. 3. Chapter 123 of the Laws of 1881 is hereby amended by striking out the words "city and town in the state, one copy to such of the public libraries of this state as the governor may designate" in the tenth and eleventh lines of said act and inserting in place thereof the following: public library in the state, and to each town in the state having no public library, which shall request the same, and to such publishers of newspapers requesting the same as keep such open to public use.

Publications to be delivered to state librarian.

SECT. 4. Chapter 6 of the public Statutes is hereby amended by adding thereto the following section:

SECT. 11. The public printer shall, immediately upon publication, deliver to the state librarian two hundred and fifty copies of reports of state departments and institutions, and of all other state publications, except Session Laws and State Papers, bound in the usual form.

Repealing clause.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed.

Takes effect on passage.

SECT. 6. This act shall take effect upon its passage.

[Approved March 20, 1901.]

CHAPTER 72.

AN ACT TO PROTECT THE LAKES, PONDS, AND STREAMS OF THE STATE FROM POLLUTION BY SAWDUST AND OTHER WASTE.

SECTION

1. Sawmills and similar establishments hereafter constructed and put in operation not to permit escape of waste to any lake, pond, or stream.
2. When compliance impracticable, supreme court may grant relief on petition.

SECTION

3. Notice of such petition.
4. Penalty for violation.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Sawmills and similar establishments hereafter constructed and

SECTION 1. All sawmills, planing mills, and other wood-working establishments hereafter constructed and put in operation in this state, shall be so constructed and operated that no bark, saw-

dust, shavings, slabs, edgings, or other waste product therefrom shall escape into or be deposited, dumped, or placed in any lake, pond, or stream within the state, and no bark, sawdust, slabs, edgings, or other waste product from any sawmill, planing mill, or other wood-working establishment hereafter erected and put in operation shall be allowed to escape into or be deposited, dumped, or placed in any such lake, pond, or stream; *provided, however,* that if the owner or operator of any such establishment has provided it with reasonably perfect modern machinery and appliances to prevent such product or waste from escaping into or being placed in any such lakes, ponds, or streams, and keeps said machinery and appliances in reasonable repair, he shall not be responsible for any product or waste that may escape from said establishment into said waters without negligence upon the part of himself or his employees; and *provided, further,* that this act shall not apply to bark that gets into said waters from logs while being driven, rafted, or stored in said waters, and before the process of manufacture begins.

SECT. 2. The supreme court, upon petition of any person hereafter desiring to erect a new mill, or other establishment mentioned in this act, alleging that it will be impracticable for him to profitably do so if obliged to comply with the provisions of this act, and that the public good will be promoted by granting him relief therefrom, upon hearing, and satisfactory evidence to sustain the allegations contained in the petition, may grant the petitioner relief from the operation of this act, provided they are of the opinion that in view of all the circumstances justice requires that such relief should be granted, and that the public good will be subserved by the granting of such relief.

When compliance impracticable, supreme court may grant relief on petition.

SECT. 3. Reasonable notice of the petition shall be given to the fish and game commissioners, the selectmen of the town, or mayor of the city, in which the establishment is to be erected, and to such other persons as may be interested, by a notice served on said parties and a like notice published in a newspaper printed in the town or city, or county, and said fish commissioners, selectmen, mayor, or other person interested therein may appear and object to the granting of such relief.

Notice of such petition.

SECT. 4. Any person or officer of any corporation violating the provisions of this act shall be fined fifty dollars for each offense, and every day that they violate the same shall be deemed a separate offense.

Penalty for violation.

SECT. 5. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 20, 1901.]

CHAPTER 73.

AN ACT IN AMENDMENT OF CHAPTER 76 OF THE SESSION LAWS OF 1897 ENTITLED "AN ACT IN RELATION TO HAWKERS AND PEDDLERS."

SECTION

1. Commercial agents selling at whole-sale by sample not hawkers or peddlers.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Commercial agents selling at wholesale by sample not hawkers or peddlers.

SECTION 1. Section 10 of said act is hereby amended by adding after the word "goods" the words, at wholesale, so that as amended said section shall read as follows:

SECT. 10. The provisions of this act shall not apply to commercial agents selling goods at wholesale by sample only.

Repealing clause; act takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 20, 1901.]

CHAPTER 74.

AN ACT PROVIDING FOR AUDITING CLAIMS AGAINST THE STATE.

SECTION

1. Incidental expenses of state provided for.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Incidental expenses of state provided for.

SECTION 1. The governor and council are authorized to audit and allow, as incidental expenses of the state, all bills for postage, stationery, necessary department supplies, and other necessary incidental expenses of the state; and the governor is authorized to draw his warrant for the payment of the same out of any money in the treasury not otherwise appropriated.

Repealing clause; act takes effect on passage.

SECT. 2. Section 6 of chapter 20, Public Statutes of New Hampshire, and all other acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 20, 1901.]

CHAPTER 75.

AN ACT IN RELATION TO THE ADMINISTRATION OF THE STATE PRISON
AND TO PROVIDE FOR NECESSARY IMPROVEMENTS AND REPAIRS.

SECTION 1. Insufficiency in income of state prison provided for; salary of chaplain; appropriation for library; appropriation for repairs of buildings.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That in case the income of the state prison should at any time be insufficient to meet the current expenses, the governor is hereby authorized to draw his warrant on the treasury, from time to time, to provide for such deficiency, out of any moneys in the treasury not otherwise appropriated.

That the sum of eight hundred dollars annually, for the ensuing two years, be and hereby is appropriated for the payment of the salary of the chaplain of the state prison.

That the further sum of two hundred dollars annually be and the same is hereby appropriated for the benefit of the state prison library for the ensuing two years.

That the further sum of five thousand dollars be appropriated for improvements and repairs of the prison buildings, the same to be expended under the direction of the governor and council; and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 20, 1901.]

CHAPTER 76.

AN ACT IN AMENDMENT OF SECTION 6, CHAPTER 27 OF THE LAWS
OF 1895, RELATING TO STREET RAILWAYS.

SECTION

1. Jurisdiction over location of street railway tracks, etc., where vested.
2. Appeal to railroad commissioners.

SECTION

3. Primary order not vacated by appeal.
4. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 6 of chapter 27 of the Laws of 1895 is hereby amended by striking out the words "exclusive and final," and by striking out the words "and from such orders there shall be no appeal," so that said section as amended shall read:

The board of mayor and aldermen of cities and selectmen of towns shall within their respective cities and towns have jurisdiction to locate the tracks, sidetracks, turnouts, and poles of

said street railway, and may order a street railway company to discontinue temporarily the use of any of its tracks in public highways, whenever they deem that the safety and convenience of the public require such discontinuance, without incurring any liability therefor.

Appeal to
railroad com-
missioners.

SECT. 2. Any party aggrieved by any location or order of the board of mayor and aldermen or selectmen may appeal to the board of railroad commissioners within fifteen days after said hearing, or the issuing of said order, and shall be entitled to a speedy hearing upon his said appeal upon such notice to said board of mayor and aldermen or selectmen, and other parties interested, as said commissioners may order. The decree of the railroad commissioners affirming or setting aside such location or order shall be final upon all questions of fact. At the request of any party to the proceeding, any question of law involved in the determination of such appeal shall be certified to the law term of the supreme court for decision.

Primary
order not va-
cated by
appeal.

SECT. 3. No order of the board of mayor and aldermen or selectmen shall be vacated or suspended by the taking of an appeal as herein provided, but shall continue in full force and effect unless and until it shall be set aside by the decree of the railroad commissioners.

Repealing
clause; act
takes effect
on passage.

SECT. 4. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

[Approved March 20, 1901.]

CHAPTER 77.

AN ACT PROVIDING FOR FENDERS UPON STREET RAILWAY CARS.

SECTION

- 1. Street railway companies to equip cars with fenders, when.

SECTION

- 2. Penalty for neglect.
- 3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Street rail-
ways to equip
cars with
fenders,
when.

SECTION 1. Street railway companies operating cars propelled by any motive power other than horses, when required by the board of railroad commissioners upon application in writing, notice to the street railway company interested and hearing thereon, shall equip their cars with fenders at such height from the top of the rail as said board may prescribe.

Penalty for
neglect.

SECT. 2. A street railway company, which, for more than six months after being notified by said board, operates a car not equipped with fenders as required under the provisions of the preceding section, shall, for each offense, forfeit a sum not exceeding fifty dollars.

Takes effect
May 1, 1903.

SECT. 3. This act shall take effect May 1, 1903.

[Approved March 20, 1901.]

CHAPTER 78.

AN ACT PROVIDING FOR A JUDICIARY SYSTEM CONSISTING OF TWO COURTS.

SECTION

1. Supreme and superior courts provided for.
2. Jurisdiction of courts.
3. General term of supreme court.
4. Opinions of supreme court, how filed, etc.
5. Questions of law, how transferred.
6. Writs, etc., issued under former laws saved.
7. Causes and proceedings of law term dockets saved.

SECTION

8. Records and files of clerks of courts.
9. Clerks of superior court.
10. Clerk of supreme court.
11. Messenger of supreme court.
12. Repeal of referee provisions.
13. Return of grand and petit jurors.
14. Salaries of judges.
15. Trial terms of superior court.
16. Repealing clause.
17. Control of supreme court rooms.
18. Takes effect April 1, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Instead of the supreme court as now existing, two ^{Supreme and superior courts provided for.} courts are hereby established, one to be known as the supreme court, consisting of one chief and four associate justices, and the other to be known as the superior court, consisting of one chief and four associate justices.

SECT. 2. The supreme court hereby established shall have ^{Jurisdiction of courts.} jurisdiction of all matters and things of which the present court at law terms thereof has jurisdiction; and the superior court shall have original jurisdiction of all actions, appeals, processes, and matters and things, which may be entered in, or are cognizable by, the present court at the trial terms thereof, and the justices of the superior court in vacation shall have all the powers possessed by the justices of the present court in vacation.

SECT. 3. There shall be one general term of the supreme court in each year, to be held in the court room of the state library building in Concord, and the justices of the said court shall be in attendance on the first Tuesday of the months of January, February, March, April, May, June, September, October, November, December, for the purpose of hearing arguments, making orders, rendering decisions, and filing opinions.

SECT. 4. The justices of the supreme court shall file with the clerk of said court a written opinion in every case decided by them, and the clerk shall at once notify the parties or their counsel, by mail, of the order made. In thirty days thereafter he shall forward to the clerk of the court below a certificate of the order, unless a rehearing is ordered by the court. No order of the court for a final disposition of a case pending therein shall be valid and binding until an opinion has been filed as aforesaid. ^{Opinions of supreme court, how filed, etc.}

SECT. 5. Questions of law arising in the trial of any case in the superior court may be transferred to the supreme court for final decision, upon a case or statement of facts reserved by the trial justice. And any party aggrieved by the ruling, direction, or judgment of the superior court, seasonably objecting, may al- ^{Questions of law, how transferred.}

lege exceptions thereto in writing, which, being conformable to the truth of the case, shall be allowed by the trial justice and be entered in the supreme court for determination. Reserved cases and bills of exception may be entered in the supreme court at any time.

Writs, etc.,
issued under
former laws
saved.

SECT. 6. All writs and processes which have been heretofore issued or which may be issued before this act takes effect and all precepts, recognizances, and proceedings of every kind now returnable at the trial terms of the supreme court, shall be taken to be returnable at the corresponding terms of the superior court next to be holden after this act takes effect. And all causes and proceedings now pending upon the trial term dockets of the supreme court shall be heard and tried in the superior court for the respective counties.

Causes and
proceedings
on law term
dockets
saved.

SECT. 7. All causes and proceedings pending upon the law term dockets or which may be entered thereon before this act takes effect shall be heard and determined by the supreme court as hereby established. And the justices of the supreme court shall do and perform all the duties reasonably requisite and necessary to be done by a court of final jurisdiction of questions of law and general superintendence of inferior courts.

Records and
files of clerks
of courts.

SECT. 8. All records and files which are now in the custody and under the control of the supreme court, or the clerks thereof, shall be in the custody and control of the superior court, or the clerks thereof, and clerks of said court in their respective counties may certify copies of the same. And the superior court is authorized to issue writs of execution, *scire facias*, and all other proper processes thereon, and may amend the same as if they had been originally filed and recorded in said superior court.

Clerks of
superior
court.

SECT. 9. One clerk of the superior court for each county shall be appointed by the justices of that court, who shall be removable at their pleasure. He shall perform all the duties now imposed upon him, at the trial terms, except as herein modified, and such other duties as the provisions of this act may require or render necessary for the due administration of justice. His fees shall remain as now provided by law. Until said clerks are appointed and qualified, the present clerks of the supreme court in the several counties shall continue to perform the duties of that office.

Clerk of
supreme
court.

SECT. 10. A clerk of the supreme court shall be appointed by the justices thereof and shall be removable at their pleasure. He shall perform all the duties herein specifically required of him and such other duties as usually appertain to that office. He shall give bond to the state in such sum as the justices shall direct, conditioned for the faithful performance of his duties. He shall have an office in the state library building and shall have the right to deposit the files and papers pertaining to his office in the library vaults. His compensation shall be fixed by the court and shall be paid by the state quarterly. No fees for his attendance at court shall be allowed.

SECT. 11. The justices of the supreme court may appoint a messenger who shall perform such duties with reference to the court room and apartments occupied by the justices as they may prescribe, and shall receive such reasonable compensation as the justices shall certify to be just and reasonable. Messenger of supreme court.

SECT. 12. All acts or parts of acts which authorize the court to commit the trial of cases to referees without the consent of the parties, or to order the fees of referees to be paid by the county when the parties agree to a reference, are hereby repealed. Repeal of referee provisions.

SECT. 13. Grand and petit jurors shall be drawn and returned to attend terms of the superior court in the same manner as is now provided by law for the trial terms of the supreme court. All trial terms of the present supreme court, whether open, postponed, or adjourned to a particular time, shall be continued, completed, closed, and finally adjourned by the justices of the superior court as terms of that court, in the same manner as if originally commenced as terms thereof. Return of grand and petit jurors.

SECT. 14. The annual salary of the chief justice of the supreme court shall be \$3,800, and that of each of the associate justices thereof shall be \$3,600, and the annual salary of the chief justice of the superior court shall be \$3,800, and that of the associate justices thereof, \$3,600. Actual expenses shall be allowed to the justices of the courts as now provided by law for the justices of the present supreme court. Salaries of judges.

SECT. 15. The terms of the superior court shall be held in each year at the times and places following: Trial terms.

For the county of Rockingham, at Exeter, on the third Tuesday of January, and the third Tuesday of April; and at Portsmouth, on the third Tuesday of October. Rockingham county.

For the county of Strafford, at Dover, on the second Tuesday of February, and the third Tuesday of September. Strafford county.

For the county of Belknap, at Laconia, on the first Tuesday of March, and the first Tuesday of November. Belknap county.

For the county of Carroll, at Ossipee, on the third Tuesday of March, and the third Tuesday of October. Carroll county.

For the county of Merrimack, at Concord, on the first Tuesday of April, and the first Tuesday of October. Merrimack county.

For the county of Hillsborough, at Manchester, on the first Tuesday of January, and the first Tuesday of May, and at Nashua the third Tuesday of September. Hillsborough county.

For the county of Cheshire, at Keene, on the first Tuesday of April, and the first Tuesday of October. Cheshire county.

For the county of Sullivan, at Newport, on the second Tuesday of May, and the second Tuesday of November. Sullivan county.

For the county of Coös, northern district, at Colebrook, on the first Tuesday of February, and the first Tuesday of September; southern district, at Lancaster, on the third Tuesday of April, and the second Tuesday of November. Coös county.

For the county of Grafton, at Plymouth, on the first Tuesday of May; at Haverhill, on the second Tuesday of September; at Lebanon, on the third Tuesday of November. A term shall also Grafton county.

be held on the third Tuesday of February at which writs and processes may be entered, actions defaulted or nonsuited, answers made, orders considered and determined, trials had by agreement on issues to court, and judgments ordered. A jury or juries may be summoned for attendance at said term only for extraordinary cause in the discretion of the court. Said February term shall be held at Haverhill in 1902, at Plymouth in 1903, at Lebanon in 1904, and thereafterwards at those places in rotation in the same order.

Repealing
clause.

SECT. 16. All laws heretofore passed which establish and continue in existence the present supreme court, and all acts and parts of acts whatsoever inconsistent with the provisions of this act, are hereby repealed; but all laws now in force not inconsistent with the provisions of this act, applicable to the present court at the law term, shall continue in force and shall apply to the supreme court hereby established; and all laws now in force not inconsistent with the provisions of this act, applicable to the present court at the trial terms thereof, or to the justices thereof in vacation, shall continue in force and shall apply to the superior court, or to the justices thereof in vacation, as the case may be. Any and all acts pertaining to the distribution of publications to the supreme court shall apply to the two courts hereby constituted.

Control of
supreme
court rooms.

SECT. 17. The exclusive control of the supreme court rooms, in the state library building, shall be vested in the judges of the supreme court.

Takes effect
April 1, 1901.

SECT. 18. This act shall take effect and be in force on and after the first day of April, 1901: and the first session of the supreme court shall be held on the first Tuesday of April next, but the justices of said courts may be appointed and commissioned before said first day of April.

[Approved March 20, 1901.]

CHAPTER 79.

AN ACT TO REVISE THE FISH AND GAME LAWS OF THE STATE.

SECTION

1. Fish and game commissioners to be appointed.
2. Duties of commissioners.
3. To inspect waters and determine what fish shall be introduced.
4. May take fish at any time for certain purposes.
5. May close waters against fishing.
6. Penalty; *prima facie* evidence.
7. May enforce laws relating to inland fisheries, etc.
8. May appoint special detectives.
9. May confiscate fish and game illegally taken.
10. Report of commissioners.
11. Compensation of commissioners.
12. Fines, how disposed of.
13. Powers of commissioners, etc.
14. May screen public waters, when.
15. Moose, caribou, and elk protected.
16. Deer protected.
17. Two deer may be killed in open season.
18. Fawn protected.
19. Use of dogs, jacks, and snares prohibited.
20. Penalty for violations.
21. Dog chasing deer, etc., may be killed.
22. Sable, otter, and fisher protected.
23. Penalty for violations.
24. Beaver protected.
25. Penalty for violations.
26. Gray squirrel and raccoon protected; penalty.
27. Hares and rabbits protected; penalty.
28. Taking with ferret; penalty.
29. Trapping without consent of land owner, penalty.
30. Hides and carcasses of deer, etc., evidence of violation.
31. Transportation of certain animals prohibited; penalty.
32. Transportation of deer regulated; penalty.
33. Sale of deer regulated; penalty. Blue Mt. Forest Ass'n excepted.
34. Wild birds, other than game birds, protected; what are game birds.
35. Nests and eggs of wild birds protected.
36. Penalties for violations.
37. Not to apply to persons taking birds and nests for scientific purposes.
38. Birds, nests, and eggs may be taken for scientific purposes; requirements.
39. Certificates in force one year.
40. English sparrows, crows, and hawks not protected.
41. Plover, duck, etc., protected; penalty.
42. Woodcock, grouse, partridge, quail, snipe, protected; penalty.

SECTION

43. Shooting of beach birds regulated.
44. Snaring of grouse, penalty.
45. Killing of blue heron and American eagle, penalty.
46. Transportation of game birds out of state, penalty.
47. Purchase or sale of certain game birds, penalty.
48. Taking fish or corrupting waters in artificial ponds, penalty.
49. Preceding section applies to what waters.
50. Certain fish to be caught only by angling; penalty.
51. Destroying fish by poison or explosive, penalty.
52. Use of seine, wire, or net, penalty.
53. More than ten lines in ice fishing, penalty.
54. Fishing for trout, etc., as occupation, penalty.
55. Young salmon protected.
56. Lake trout, land-locked salmon, etc., protected.
57. Brook or speckled trout protected.
58. Penalties for violations; repealing clause.
59. Pike perch, white perch, and black bass protected; penalty.
60. Pickerel and pike not to be put into waters containing trout; penalty.
61. Pickerel, pike, etc., protected; penalty.
62. Fish introduced to be unmolested five years; penalty.
63. Lamprey eels protected; penalty.
64. Smelts protected.
65. Taking of smelts with seine regulated.
66. Penalties for violations.
67. Smelts not to be used as manure; penalty.
68. Not more than ten pounds of trout in one day; penalty.
69. Taking trout and land-locked salmon through ice; penalty.
70. Length of trout, black bass, etc., that may be taken; penalty.
71. Possession of fish during close season evidence of violation.
72. Boats and implements used in violation forfeited.
73. Misuse of fish or fry furnished by commissioners, penalty.
74. Rights of owners of private waters.
75. "Public waters" defined.
76. Planting oysters regulated.
77. Taking oysters in certain months prohibited; penalty.
78. Lobsters protected; penalty.
79. Unlawful removal of lobster trap, penalty.
80. Repealing clause.
81. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Commis-
sioners to be
appointed.

SECTION 1. The governor, with the advice of the council, shall appoint a board of fish and game commissioners not exceeding three in number who shall hold office for five years unless sooner removed. The board as now constituted is continued.

Duties of
commis-
sioners.

SECT. 2. The commissioners shall enforce the fish and game laws, shall take the necessary measures for re-stocking or introducing any desirable fish into the waters of this state, and they may co-operate with the commissioners of other states having joint interests with this state for that purpose.

To inspect
waters.

SECT. 3. Said commissioners shall examine the principal inland waters of the state and determine what new varieties of fish shall be introduced into the same.

May take fish
at any time.

SECT. 4. Said commissioners may take fish at any time and of any kind for purposes of science, cultivation, and dissemination, and may permit other persons to take them for such purpose under their direction.

May close
waters
against
fishing.

SECT. 5. Said commissioners may close any of the waters of this state against fishing for such period or periods as they may deem advisable and may also prohibit the taking of fish through the ice from any of the public waters of the state for a period not exceeding five years, whenever it shall appear to them after public notice given and a hearing that it is reasonable to close the same. In case of such closing, they shall publish their order in some newspaper printed in the county, and cause the same to be posted in two or more public places as near the waters as may be in each town in which any part of the waters is located, at least one week before the order shall be in force.

Penalty;
prima facie
evidence.

SECT. 6. Any person who violates the provisions of the preceding sections, or of any order thereunder, shall be fined twenty dollars, or be imprisoned sixty days, or both. The having in possession any fish, such as are found in the waters so closed, by any person in the immediate vicinity of such waters after the order takes effect, shall be *prima facie* evidence of a violation by such person of the law and of the order made by said commissioners.

May enforce
laws relating
to fisheries.

SECT. 7. Each of the commissioners may personally, or by deputy appointed in writing under his hand, enforce all laws relating to inland fisheries, and may seize and remove summarily, if need be, all unlawful obstructions to the passage of migratory fish, except dams, mills, or machinery, at the expense of the person using or maintaining the same.

May appoint
special de-
tectives.

SECT. 8. The fish and game commissioners may, whenever they deem it necessary, and shall, upon the request of three reputable citizens, appoint one or more persons to act as special detectives in cases of prosecution relating to fish and game. The compensation of such detectives shall be fixed by said commissioners and paid from the fish and game detective fund.

SECT. 9. All fish and game found in the possession of any person or persons who have illegally taken the same shall be confiscated by the fish and game commissioners and sold by them or under their direction to the best advantage, and the proceeds of such sale added to the fish and game detective fund in the state treasury.

May confiscate fish and game illegally taken.

SECT. 10. The fish and game commissioners shall file with the secretary of state, on or before the first day of December, in each alternate year, a report to the governor and council of all their doings together with a statement of all their expenses.

Report of commissioners.

SECT. 11. Said commissioners shall be paid their traveling and other expenses necessarily connected with the discharge of their duties, and such reasonable compensation for services as may be determined and allowed by the governor and council, who shall audit their accounts.

Compensation of commissioners.

SECT. 12. All fines and forfeitures accruing from prosecutions for violation of the fish and game laws shall be paid into the state treasury and placed to the credit of the fish and game commissioners, and be known as the fish and game detective fund, and may be drawn and used by said commissioners from time to time as to them may seem necessary, with the approval of the governor and council.

Fines, how disposed of.

SECT. 13. The fish and game commissioners, their deputies and detectives, in the performance of their duties, shall have the powers of constables and shall also have authority to arrest, on view, within the limits of the state any person violating any of the fish and game laws.

Powers of commissioners, etc.

SECT. 14. The fish and game commissioners shall have power whenever such action shall be approved by the governor and council to place and keep in position such screens in any of the public waters of the state as they may deem for the public good, provided said screens shall not intercept the flow of water or passage of lumber or logs in said waters.

May screen public waters.

SECT. 15. No person shall hunt, catch, kill, destroy, or capture any moose, caribou, or elk within the limits of this state.

Moose, caribou, and elk protected.

SECT. 16. No person shall hunt, catch, kill, or destroy any deer within the limits of this state except during the months of October and November and the first fifteen days of December in each year, and then only in the counties of Carroll and Coös, and in the towns of Alexandria, Bridgewater, Bristol, Campton, Dorchester, Ellsworth, Groton, Hebron, Holderness, Lincoln, Livermore, Plymouth, Rumney, Thornton, Waterville, Wentworth, Woodstock, Bath, Benton, Bethlehem, Easton, Franconia, Haverhill, Landaff, Lisbon, Littleton, Lyme, Hanover, Monroe, Orford, Piermont, and Warren, in Grafton county.

Deer protected.

SECT. 17. No person during the open season of any year shall take, catch, kill, or destroy more than two deer.

Two deer may be killed.

SECT. 18. The killing of fawn is prohibited at all times.

Fawn protected.

SECT. 19. No person shall at any time hunt, kill, capture, or destroy any deer with dogs, or by the use of a jack, so called, or with any artificial light, or with a trap or snare.

Use of dogs, jacks, and snares prohibited.

Penalty.

SECT. 20. If any person shall violate any provision of any of the five preceding sections, he shall be fined not exceeding two hundred dollars, or be imprisoned not exceeding six months, or both such fine and imprisonment.

Dog may be killed.

SECT. 21. Any person may summarily dispose of any dog found pursuing or harassing any moose, caribou, elk, deer, or sheep.

Sable, otter, and fisher protected.

SECT. 22. No person shall take or kill any sable, otter, or fisher between the thirty-first day of March and the fifteenth day of October in any year.

Penalty.

SECT. 23. If any person shall violate the provisions of the preceding sections he shall be fined twenty-five dollars, or be imprisoned sixty days, or both.

Beaver protected.

SECT. 24. No person shall take, kill, or have in his possession any beaver within this state prior to the first day of January, 1909.

Penalty.

SECT. 25. If any person shall violate the provisions of the preceding section he shall be fined fifty dollars for each beaver caught, killed, or had in his possession.

Gray squirrel and raccoon protected; penalty.

SECT. 26. No person shall, between the first day of January and the fifteenth day of September in any year, take or kill any gray squirrel or raccoon under a fine of ten dollars for each offense, or thirty days imprisonment, or both.

Hares and rabbits protected; penalty.

SECT. 27. If any person shall take or kill any hare or rabbit between the thirty-first day of March and the first day of October in any year, he shall be fined not exceeding ten dollars, or imprisoned thirty days, or both such fine and imprisonment.

Taking with ferret, penalty.

SECT. 28. If any person shall at any time take or kill any rabbit or hare by the use of a ferret, he shall be fined not exceeding ten dollars, or be imprisoned thirty days, or both.

Trapping without owner's consent, penalty.

SECT. 29. If any person shall set or arrange any trap upon any land of which he is not the owner or legal occupant without the consent of the owner or legal occupant of said land, he shall be fined not exceeding ten dollars, or imprisoned sixty days, or both such fine and imprisonment.

Evidence of violation.

SECT. 30. If any person shall at any time have in his possession the carcasses or hides of any moose, caribou, elk, or fawn, or the parts thereof, or the carcasses or hides or parts thereof of more than two deer, in the open season on deer, or the carcasses or hides or parts thereof of any deer when it is unlawful to take or kill deer, or the carcasses or hides or parts thereof of any other animal mentioned in this act when it is unlawful to take or kill such animal, it shall be *prima facie* evidence that such person has hunted and killed the same contrary to law.

Transportation prohibited; penalty.

SECT. 31. No person, corporation, or common carrier shall, at any time within the limits of this state, transport any moose, caribou, elk, or fawn, under penalty of a fine of fifty dollars, but such person, corporation, or common carrier may show in defense that such animals came in the regular course of business into their possession for transit through the state from some place without the state.

SECT. 32. No person, corporation, or common carrier shall transport, within this state, any deer or any parts thereof, except heads for mounting, unless open to view, tagged, and plainly labeled with the name of the actual owner, and accompanied by him, under penalty of a fine of fifty dollars.

SECT. 33. No person shall sell any deer killed in this state, or parts thereof, except for consumption as food within the state, and no person shall buy for the purpose of selling the same, sell, or give away more than two deer, killed in this state in any one season, under a penalty of one hundred dollars for each offense, except that the Blue Mountain Forest Association may kill deer, elk, and moose within the confines of its game preserve, as established by chapter 258 of the Laws of 1895, until January 15th of each year, and may ship them to points without the state at any time when accompanied by a certificate of the fish and game commission that they were legally killed, and the fish and game commission shall provide such rules and regulations as are necessary for the carrying out of the provisions of this paragraph without any expense to the state of New Hampshire.

SECT. 34. No person shall, within this state, kill or catch or have in his possession, living or dead, any wild bird other than a game bird, nor shall purchase, offer, or expose for sale any such wild bird after it has been killed or caught. No part of the plumage, skin, or body of any bird protected by this section shall be sold or had in possession for sale. For the purposes of this act the following only shall be considered game birds: The *Anatidae*, commonly known as swans, geese, brant, and river and sea ducks; the *Rallidae*, commonly known as rails, coots, mud-hens, and gallinules; the *Limicollae*, commonly known as shore birds, plover, surf birds, snipe, woodcock, sand-pipers, tatlers and curlews; the *Gallinae*, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges, and quails.

SECT. 35. No person shall, within this state, take or needlessly destroy the nest or the eggs of any wild bird nor shall have such nest or eggs in his or her possession.

SECT. 36. Any person who violates any of the provisions of the two preceding sections of this act shall be guilty of a misdemeanor, and shall be liable to a fine of five dollars for each offense, and an additional fine of five dollars for each bird, living or dead, or part of bird, or nest and eggs possessed in violation of this act, or to imprisonment for ten days, or both, at the discretion of the court.

SECT. 37. Sections 34, 35, and 36 of this act shall not apply to any person holding a certificate giving the right to take birds and their nests and eggs for scientific purposes, as provided for in section 38 of this act.

SECT. 38. Certificates may be granted by the fish and game commissioners to any properly accredited person of the age of eighteen years or upward, permitting the holder thereof to collect birds, their nests or eggs, for strictly scientific purposes only. In order to obtain such certificate the applicant for the same

Deer, transportation of.

Sale of deer regulated; penalty. Blue Mt. Forest Ass'n accepted.

Wild birds, other than game birds, protected; what are game birds.

Nests and eggs protected.

Penalties for violations.

Not apply to certain persons.

Birds, nests, and eggs taken for scientific purposes.

must present to the commissioners written testimonials from two well-known scientific men certifying to the good character and fitness of said applicant to be intrusted with such privilege, and must pay to said commissioners one dollar to defray the necessary expenses attending the granting of such certificate; and must file with said commissioners a properly executed bond, in the sum of two hundred dollars, signed by two responsible citizens of the state as sureties. This bond shall be forfeited to the state, and the certificate become void, upon proof that the holder of such a certificate has killed any bird, or taken the nest or eggs of any bird, for other than the purposes named in sections 37 and 38 of this act, who shall be further subject for each offense to the penalties provided therefor in section 37 of this act.

Certificates in force one year.

SECT. 39. The certificates authorized by this act shall be in force for one year only from the date of their issue, and shall not be transferable.

English sparrows, crows, and hawks not protected. Plover, duck, etc., protected; penalty.

SECT. 40. The English or European house sparrow (*Passer domesticus*), crows, and hawks are not included among the birds protected by this act.

SECT. 41. If any person shall, between the thirty-first day of January and the first day of August in any year, take, kill, or destroy any plover, yellowlegs, sandpiper, duck, except sheldrake and loon, or rail, he shall be fined ten dollars for each bird so taken or destroyed, or be imprisoned sixty days, or both.

Woodcock, grouse, partridge, quail, snipe.

SECT. 42. If any person shall, between the fifteenth day of December in any year and the fifteenth day of September next following, take, kill, or have in possession any woodcock, ruffed grouse, partridge, quail, or Wilson snipe, or shall at any time take, kill, or have in possession any of said birds except for consumption as food within the state, he shall be fined ten dollars for each bird so taken or destroyed or had in possession, or imprisoned sixty days, or both.

Shooting of beach birds.

SECT. 43. The provisions of the preceding sections shall not be construed to prevent the shooting of beach birds, so called, within the limits of Rockingham county after the fifteenth day of July in any year.

Snaring of grouse, penalty.

SECT. 44. If any person shall at any time take grouse, partridge, or quail with a trap or snare, he shall be fined ten dollars for each bird so taken, or be imprisoned sixty days, or both.

Blue heron and American eagle.

SECT. 45. If any person shall at any time catch, kill, or destroy any blue heron, American or bald eagle, he shall be punished by a fine of twenty-five dollars for each bird so killed, or be imprisoned three months, or both such fine and imprisonment.

Transportation of game birds out of state, penalty.

SECT. 46. If any person, corporation, or common carrier, or any of their servants or agents, while in their employ, shall have in their possession for transportation out of the state at any time, or for transportation or for any other purpose when the same are protected by law, any of the birds mentioned in this act, such person, corporation, or common carrier shall be fined one hundred dollars for each offense, but such person, corporation,

or common carrier may show in defense that the birds came in the regular course of business lawfully into their possession for transit through the state from some place without the state.

SECT. 47. If any person shall at any time within this state buy, sell, offer, or expose for sale, any woodcock, partridge, or ruffed grouse, he shall for each bird bought and sold, offered for sale, or had in their possession, be fined five dollars, or be imprisoned thirty days, or both such fine and imprisonment.

Purchase or sale of certain game birds, penalty.

SECT. 48. If any person shall catch or kill fish in any waters prepared or used for the purpose of breeding, growing, or preserving fish, or in any stream connected therewith on land owned or leased for that purpose, or shall break down any dam or embankment of the same, or shall in any way poison or pollute the water, or shall place therein any fish or the roe, spawn, or fry of the same without permission of the owner or lessee of the land upon or through which such waters stand or flow, he shall be fined for every such offense not exceeding fifty dollars, or be imprisoned not exceeding six months, or both such fine and imprisonment.

Taking fish or corrupting waters in artificial ponds, penalty.

SECT. 49. The preceding section shall apply only to waters not being public waters that are wholly within the control of some person who owns the land around the same and has made improvements, expended money or labor in stocking it with fish, and it shall not apply to such waters unless the owner or lessee shall keep posted in at least two conspicuous places on the land a notice containing the words, "Reserved for fish culture, trespass forbidden," in plain letters.

Preceding applies to what waters.

SECT. 50. If any person shall take, kill, or fish for salmon, brook or speckled trout, aureolus or golden trout, lake trout, land-locked or fresh water salmon, bass, pike, pike perch, white perch, pickerel, shad, shad-waiters, white fish, or blue fins, in any of the fresh waters of this state, in any other manner or with any other device than the ordinary way of angling with a single hook and line, with bait, artificial flies, or spoon, he shall be fined ten dollars for each offense, or be imprisoned thirty days, or both, and shall be liable to a further penalty of one dollar for each fish so caught, taken, or killed. The having in possession upon any fresh waters of this state or upon the shore of the same any gill or seine net, fyke net, spear, jack, torch, trawl, or floating device, shall be *prima facie* evidence of a violation of the law by the person having the same in possession.

Certain fish to be caught only by angling; penalty.

SECT. 51. If any person shall take or kill any fish in any of the waters of this state by the use of any poisonous or deleterious explosive substances, he shall be fined not exceeding one hundred dollars, or imprisoned not exceeding six months, or both such fine and imprisonment.

Destroying fish by poison or explosive, penalty.

SECT. 52. If any person shall take or kill in any of the fresh waters of this state any kind of fish except shiners in the Merrimack river, with seine, weir, gill net, or fyke net, he shall be fined not exceeding fifty dollars, or imprisoned not exceeding sixty days, or both such fine and imprisonment.

Use of seine, weir, or net, penalty.

More than ten
lines in ice
fishing,
penalty.

SECT. 53. If any person shall use or have in use, except in tide waters within this state, more than ten lines with one single hook on each line when fishing through the ice, he shall be fined ten dollars for each hook and line in excess of ten.

Fishing for
trout, etc., as
occupation,
penalty.

SECT. 54. If any person shall, for the whole or any part of the time, engage in the business or occupation of fishing on any of the streams or ponds of this state, for brook or speckled trout, or in the lakes thereof for land-locked salmon, or shall for the whole or any part of the time engage in the business or occupation of fishing for such fish for any other person, for gain or hire, he shall for every such offense be fined not exceeding fifty dollars, or be imprisoned not exceeding thirty days, or both such fine and imprisonment.

Young
salmon pro-
tected.

SECT. 55. No person shall take, kill, or have in his possession, from any of the waters of this state, any young salmon, known as parr, smolt, or grilse, at any time.

Lake trout,
land-locked
salmon, etc.,
protected.

SECT. 56. No person shall take, kill, or have in his possession from any of the waters of this state, any lake trout, land-locked salmon, white fish, shad, or blue fins between the fifteenth day of September in any year and the first day of January next following.

Brook trout
protected.

SECT. 57. No person shall take, kill, or have in his possession from any of the waters of this state, any brook or speckled trout between the thirty-first day of July in any year and the first day of April next following, except that brook or speckled trout may be taken in the usual manner with single hook and line in the waters of Coös, Grafton, and Carroll counties during the month of August, but not during the month of April. And except that it shall be lawful to take trout from the waters of Lake Sunapee during the month of August, and within the lakes and ponds of Coös, Grafton, and Carroll counties during the first fourteen days of September.

Penalties for
violations;
repealing
clause.

SECT. 58. If any person shall violate any provision of the three preceding sections, he shall be fined not exceeding fifty dollars for each offense, or be imprisoned not exceeding six months, or both such fine and imprisonment, except that it shall be lawful to sell lake trout during the open season; and all acts and parts of acts inconsistent with this act are hereby repealed.

Pike perch,
white perch,
and black
bass pro-
tected;
penalty.

SECT. 59. If any person shall take or kill any pike perch, white perch, or black bass in any of the waters of this state, except tide waters, during the months of May and June in any year, except that it shall be lawful to take bass in the waters of Sunapee and Mascoma lakes in June, he shall be fined ten dollars for each fish so taken or killed, or be imprisoned sixty days, or both such fine and imprisonment.

Pickereel, etc.,
not to be put
in waters
containing
trout.

SECT. 60. If any person shall put pickereel, pike, black bass, carp, or the roe, spawn, or fry thereof, into any public waters containing trout, and free from pike, pickereel, bass, or carp, he shall be fined not exceeding one hundred dollars for each offense.

SECT. 61. If any person shall take or kill any muskellonge, pickerel, etc., pickerel, pike, or grayling in any of the waters of this state during the months of April and May of any year, he shall be fined ten dollars for each offense. Pickerel, etc., protected; penalty.

SECT. 62. If any person shall take or kill any variety of fish which have been or may be introduced by the fish and game commissioners, their agents, or any person authorized by them, in any of the waters of this state within five years from their introduction into such waters, he shall be fined not exceeding ten dollars for each fish taken or killed, or be imprisoned not exceeding sixty days, or both such fine and imprisonment. Fish to be unmolested for five years; penalty.

SECT. 63. If any person shall at any time take or catch lamper eels in a weir or eel pot, he shall be fined not exceeding fifty dollars for each offense, or be imprisoned not exceeding thirty days, or both such fine and imprisonment. Lamper eels protected; penalty.

SECT. 64. No person shall, between the twenty-fifth day of March and the first day of July in any year, take, catch, or kill any of the fish called smelts, in any of the waters of the Piscataqua river, its tributaries, Great bay and Greenland bay, so called, in this state. Smelts protected.

SECT. 65. No person shall, at any time of the year, take or catch, with a seine, weir, or net, any of the fish called smelts, in the waters of Great bay and Greenland bay, aforesaid, easterly of a line from the easterly end of the Portsmouth & Concord Railroad bridge to Adams Point, so called, in the town of Durham. Taking of smelts with seine regulated.

SECT. 66. If any person shall violate any provision of the two preceding sections, he shall be fined not exceeding fifty dollars, for each offense; *provided, however*, that nothing in said sections shall be construed to prevent the use of weirs or nets for the capture or taking of shad or alewives, the meshes of which nets are sufficiently large to permit the free ingress and egress of the before mentioned fish, commonly known as smelts. Penalties for violations.

SECT. 67. If any person shall take, kill, or use any fresh water or salt water smelt for the purpose of manuring land, or take more than ten pounds in any one calendar day, from the fresh waters of the state, he shall be fined ten dollars for each offense. Smelts not to be used as manure; penalty.

SECT. 68. If any person shall take or kill more than ten pounds of brook or speckled trout in any one calendar day, he shall be fined ten dollars for each offense. Not more than ten pounds of trout in one day.

SECT. 69. If any person shall take, kill, or have in his possession any brook or speckled trout, or any land-locked salmon taken through the ice (except land-locked salmon when they inhabit the same waters as lake trout), he shall be fined five dollars for every fish so taken or had in possession. Taking trout and land-locked salmon through ice; penalty.

SECT. 70. If any person shall take, kill, or have in possession any brook trout at any time of a length less than five inches, or any black bass of a length less than eight inches, or any land-locked salmon, aureolus or golden trout, or pickerel of a length less than twelve inches, he shall be fined five dollars for every fish so taken, killed, or had in possession. Length of trout, etc., that may be taken; penalty.

Possession
evidence of
violation.

SECT. 71. The possession of any fish during the time in which their capture is prohibited by law by any person, shall be deemed *prima facie* evidence of a violation of the law, and such fish may be seized by any commissioner, detective, or constable.

Boats and
implements
forfeited.

SECT. 72. All boats and implements used in taking or getting fish in violation of law shall be forfeited and may be seized by any detective, constable, police officer, or selectman, and shall be held, proceeded with, and disposed of as provided by law in other cases of forfeiture of goods, except that all spears and trawls shall be destroyed by the person seizing them.

Misuse of fish
or fry
punished by
commis-
sioners;
penalty.

SECT. 73. If any person shall buy, sell, offer, or expose for sale, carry beyond the limits of this state, or place in private waters, any fish or fry intrusted to his care by the fish and game commissioners or their agents, for planting in public waters, he shall be fined fifty dollars for each offense.

Rights of
owners of
private
waters.

SECT. 74. Nothing in this act shall prohibit the owners of private waters from taking fish from such waters for purposes of propagation, dissemination, or science at such times and in such manner as may be most convenient, but they shall not be taken, used, or sold for purposes of food during the time when such capture is prohibited by law.

"Public
waters" de-
fined.
Planting
oysters regu-
lated.

SECT. 75. All natural ponds and lakes containing more than twenty acres shall be deemed public waters.

SECT. 76. Any person is authorized to plant or bed oysters in Great bay or its tributaries, Little bay and Durham river, so called, but no person shall occupy an area of more than four acres.

Taking
oysters in
certain
months pro-
hibited;
penalty.

SECT. 77. If any person shall take oysters from Great bay or its tributaries, Little bay or Durham river, during the months of June, July, and August, or shall dredge for oysters through holes cut in the ice, unless the oysters have been bedded in the aforesaid waters by the person so dredging for them, he shall be fined one hundred dollars for each offense.

Lobsters
protected;
penalty.

SECT. 78. If any person shall catch, preserve, sell, or expose for sale within this state, any lobsters under ten and one half inches in length, measuring from one extreme of the body to the other, exclusive of claws or feelers, at any time, or shall kill or destroy any female lobster while carrying her spawn, he shall be fined ten dollars for each lobster so caught, killed, sold, preserved, or exposed for sale.

Unlawful
removal of
lobster trap;
penalty.

SECT. 79. If any person shall take or attempt to take up or in any way knowingly and willfully interfere with any lobster trap while set for lawful use within this state without the authority of the owner thereof, he shall be fined fifty dollars, but no indictment shall be maintained unless the name or the initials of the owner of the trap or traps shall be carved, painted, or printed in legible letters not less than three fourths of an inch in length on all the buoys connected with such traps.

Repealing
clause.

SECT. 80. This act shall take the place of chapters 130, 131, 132, and 133 of the Public Statutes, and all acts and parts of acts inconsistent with this act are hereby repealed, except that sec-

tions 15 to 25 of this act, both inclusive, shall not apply to the Blue Mountain Forest Association, and except that existing special statutes relating to fish protection, fishing, and deposits of sawdust in certain specified waters of the state shall not be repealed by this act, but shall be continued in force according to the tenor and meaning of said statutes.

SECT. 81. This act shall take effect on its passage.

Takes effect
on passage.

[Approved March 20, 1901.]

CHAPTER 80.

AN ACT IN AMENDMENT OF SECTION 16, CHAPTER 287 OF THE PUBLIC STATUTES ENTITLED "FEES AND COSTS IN CERTAIN CASES."

SECTION 1. Sheriffs' fees for attendance at court to be audited by presiding justice.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 16, chapter 287 of the Public Statutes be amended by adding to the last clause but one of said section the words, to be audited and allowed by the presiding justice, so that said clause shall read as follows: For attending the supreme court by order thereof, to be paid out of the county treasury, the sheriff, each day, three dollars; each deputy, two dollars and fifty cents, to be audited and allowed by the presiding justice.

Sheriffs' fees
for atten-
dance to be
audited.

[Approved March 21, 1901.]

CHAPTER 81.

AN ACT IN AMENDMENT OF CHAPTER 77 OF THE LAWS OF 1899, AND IN RELATION TO SUPERVISORY DISTRICTS.

SECTION

1. Vote to form supervisory school district may be rescinded.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Any town or special district which has united, or may hereafter unite, with any other town or towns, district or districts, to form a supervisory district as provided by chapter 77 of the Laws of 1899, may at any annual school district meeting, by vote, rescind such action, and thereupon shall, at the end of the school year or at the expiration of the period for which such supervisory district may then already have contracted for the services of a superintendent, cease to be a part of such supervisory district.

Rescission of
vote to form
supervisory
school dis-
trict.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 21, 1901.]

CHAPTER 82.

AN ACT IN AMENDMENT OF CHAPTER 108, LAWS OF 1895, RELATING
TO THE TAXATION OF SAVINGS BANKS.

SECTION

1. Savings banks not exempt from taxation on general deposits on account of railroad securities.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Not exempt
from tax-
ation.

SECTION 1. Savings banks, trust companies, loan and trust companies, and loan and banking companies shall not be entitled to exemption from taxation on their general deposits on account of railroad stock or bonds owned by them, whether secured by real estate, mortgages, or otherwise.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 21, 1901.]

CHAPTER 83.

AN ACT IN AMENDMENT OF SECTION 5, CHAPTER 40 OF THE PUBLIC
STATUTES, PROVIDING FOR INVESTMENT OF TRUST FUNDS HELD
BY TOWNS.

SECTION

1. Towns to pay interest on trust fund in public treasury.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Interest on
trust funds in
town
treasury.

SECTION 1. Add to section 5, chapter 40 of the Public Statutes the following words: And any town or city which now holds or hereafter may hold in trust, by bequest or otherwise, any funds for the improvement of the town or city, or any part thereof, or in aid of public libraries and such objects as may be supported in whole or in part by funds raised by public taxation, may pay the same into the town or city treasury, and so long as the same remains therein said town or city shall pay thereon an annual income at the rate of three and one half per cent, which income shall be expended in accordance with the terms of the trust by which said fund or funds are held. Towns and cities are hereby authorized to receive from cemetery associations or individuals funds for the care of cemeteries or any lot therein, or from school districts therein, sinking funds, and pay thereon an annual income not exceeding three and one half per cent per annum, and the income thereof shall be expended by said town or city in accordance with the terms of the trust or contract under which the same was received.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 21, 1901.]

CHAPTER 84.

AN ACT IN RELATION TO THE PUBLIC PRINTING.

SECTION

1. Public Printing Commission provided for.
2. Public printing to be ordered by commission.
3. May contract for public printing.
4. Contracts to be awarded to residents of New Hampshire.

SECTION

5. Commission may purchase materials.
6. Bonds for fulfillment of contracts to be required.
7. Repealing clause; act takes effect July 1, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The governor, with the advice of the council, shall biennially designate five state officers, no one of whom shall be pecuniarily interested in any printing establishment, who shall constitute a board to be known as the Public Printing Commission.

SECT. 2. All printing, binding, and blank-book making required by the several departments of the state government and paid for out of the state treasury shall be termed public printing for the purposes of this act. All of the public printing shall be ordered by the public printing commission, and no other party or parties shall have authority to contract for said public printing in the name of the state of New Hampshire.

SECT. 3. The public printing commission may contract with responsible parties, with or without competitive bidding as said commission may deem for the best interests of the state, for the public printing, adopting such policy in distributing contracts for work not offered for competitive bids as will be equitable and just to all printing offices in the state equipped to render satisfactory service. No contract shall be awarded at prices in excess of those established by chapter 38 of the Laws of 1899.

SECT. 4. Contracts for the public printing shall be awarded only to parties who are residents of, and who will do the work in, New Hampshire; *provided*, that if any portion of said work cannot be procured in New Hampshire at the prices established by chapter 38 of the Laws of 1899, said commission may contract therefor with parties outside said state at those prices.

SECT. 5. The public printing commission may purchase, in the name of the state, materials used in doing the public printing, whenever in their opinion such purchase will effect a saving in the cost of the same or will improve the quality of such work.

SECT. 6. The public printing commission shall require parties to whom contracts for public printing are awarded to give satisfactory bonds for the fulfillment of the terms of such contracts relating to the time of the delivery of the articles contracted for and the quality of the material and workmanship to be furnished.

SECT. 7. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect July 1, 1901.

[Approved March 21, 1901.]

CHAPTER 85.

AN ACT PROVIDING FOR A CONVENTION OF DELEGATES FOR THE
PURPOSE OF REVISING THE CONSTITUTION.

SECTION

1. Time of choosing delegates.
2. Eligibility to convention.
3. Manner of choosing.
4. Credentials of delegates.
5. Blanks for certificates.

SECTION

6. Meeting and organization.
7. Amendments agreed to.
8. Supplies for convention.
9. Mileage and compensation.
10. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time of
choosing
delegates.

SECTION 1. That at the election in the several towns and cities of this state to be holden in November, A. D. 1902, delegates to a convention to revise the constitution of this state shall be chosen and an article therefor shall be inserted in the warrants calling said meetings; and all the laws relating to the election of representatives to the general court, so far as the same may be applicable, shall apply to the election of delegates except as herein otherwise provided.

Eligibility.

SECT. 2. Any person shall be eligible to a seat in said convention who by the laws of this state is a qualified voter in the town or district from which he may be elected.

Manner of
choosing.

SECT. 3. The delegates shall be chosen in the same manner and proportioned as the representatives to the present general court, *provided*, that each and every town shall be entitled to send one delegate at least.

Credentials.

SECT. 4. Town clerks and clerks of supervisors of election shall deliver to the person or persons elected a certificate of his or their election.

Blanks.

SECT. 5. The secretary of state is directed to prepare and seasonably transmit to the several town clerks suitable blank forms for certificates of the election of delegates.

Meeting and
organization.

SECT. 6. The delegates so chosen shall meet in convention at the capitol in Concord on the first Tuesday of December, A. D. 1902, at 11 o'clock in the forenoon, and shall proceed to organize themselves in convention by choosing by ballot one of their number as president, and such other officers as they may deem necessary; they shall be the judges of election and returns of their own members, and may establish rules of proceeding, and, when organized, shall proceed to revise the constitution.

Amendments.

SECT. 7. If any alterations or amendments of the constitution shall be agreed to by said convention, they shall be so arranged and prepared that the same can be voted on by the people separately, unless the convention shall be of the opinion that it is impracticable so to prepare and arrange them, in which case the amendments shall be voted on together; and in either case the convention shall prescribe the mode of publication of the amendments, the time and manner in which the same shall

be submitted to the people for their approval, and may pass an ordinance in relation to the manner of ascertaining their decision and declaring and publishing the same, the time when such amendments as shall be approved shall take effect, and may do any and all other things which they deem necessary to carry out the purpose and object of such convention.

SECT. 8. It shall be the duty of the secretary of state to ^{Supplies.} furnish said convention such books, documents, papers, stationery, and printing as the convention shall require or order.

SECT. 9. The pay for the travel for the officers and members ^{Mileage and compensation.} of the convention shall be the same as that of the officers and members of the house of representatives and for his attendance each member shall receive three dollars per day during the said convention, except that the clerk and assistant clerk shall receive the same pay as a member of the convention, and one hundred dollars each additional for making up the journals, the same to be paid out of the treasury.

SECT. 10. This act shall take effect from and after its passage. ^{Takes effect on passage.}

[Approved March 21, 1901.]

CHAPTER 86.

AN ACT TO AMEND CHAPTER 86, LAWS OF 1895, ENTITLED "AN ACT REGULATING FRATERNAL BENEFICIARY SOCIETIES, ORDERS, OR ASSOCIATIONS."

SECTION

1. "Fraternal Beneficiary Association" defined; form and work prescribed.
2. Associations now doing business may continue, if satisfactory to insurance commissioner.

SECTION

3. Associations admitted to do business to be satisfactory to insurance commissioner.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1, chapter 86, Laws of 1895, is hereby amended by striking out, after the word "age" in the ninth line, the words "or such benefit as provided by, and subject to their compliance with its constitution and laws," so that said section as amended shall read as follows: ^{"Fraternal Beneficiary Association" defined; form and work prescribed.}

SECTION 1. A fraternal beneficiary association is hereby declared to be a corporation, society, or voluntary association formed or organized and carried on for the sole benefit of its members and beneficiaries, and not for profit. Each association shall have a lodge system, with ritualistic form of work and representative form of government, and may make provision for the payment of benefits to members and their beneficiaries in case of death, sickness, temporary or permanent physical disability, either as the result of disease, accident, or old age. The

fund from which the payment of such benefit shall be made, and the fund from which the expenses of such association shall be defrayed, shall be derived from assessments or dues collected from its members. Payment of death benefits shall be to the families, heirs, blood relatives, affianced husband, or affianced wife, or to persons dependent upon the member. Such associations shall be governed by this act, and shall be subject to the provisions of the insurance laws of this state consistent with the provisions of this act, and no law hereafter passed shall apply to them unless they be expressly designated therein.

May continue
if satisfactory
to insurance
commis-
sioner.

SECT. 2. Section 2 of said act is hereby amended by adding after the word "business" in the fourth line of said section, the words, if the commissioner of insurance is satisfied that such associations are reliable and worthy of public patronage, so that said section as amended shall read as follows:

SECT. 2. All such associations coming within the description as set forth in section 1 of this act, organized under the laws of this or any other state, province, or territory, and now doing business in this state, may continue such business if the commissioner of insurance is satisfied that such associations are reliable and worthy of public patronage; *provided*, that they hereafter comply with the provisions of this act regulating annual reports, and the designation of the commissioner of insurance as the person upon whom process may be served, as hereinafter provided.

Associations
admitted to
be satisfac-
tory to in-
surance com-
missioner.

SECT. 3. Section 3 of said act is hereby amended by adding after the word "state" in the fourth line of said section, the words, if the commissioner of insurance is satisfied that such association is reliable and worthy of public patronage, and, so that said section when amended shall read as follows:

SECT. 3. Any such association coming within the description as set forth in section 1 of this act, organized under the laws of any other state, province, or territory, and not now doing business in this state, shall be admitted to do business within the state, if the commissioner of insurance is satisfied that such association is reliable and worthy of public patronage, and when it shall have filed with the commissioner of insurance a duly certified copy of its charter and articles of association, and a copy of its constitution or laws, certified to by its secretary or corresponding officer, together with an appointment of the commissioner of insurance of this state as a person upon whom process may be served as hereinafter provided, and provided that such association shall be shown by certificate to be authorized to do business in the state, province, or territory in which it is incorporated, or organized, in case the laws of such state, province, or territory shall provide for such authorization; and in case the laws of such state, province, or territory do not provide for any formal authorization to do business on the part of any such association, then such association shall be shown to be conducting its business in accordance with the provisions of this act, for which purpose the commissioner of insurance of this state

may personally, or by some person to be designated by him, examine into the condition, affairs, character, and business methods, accounts, books, and investments of such association at its home office, which examination shall be at the expense of such association, and shall be made within thirty days after demand therefor, and the expense of such examination shall be limited to \$5 per diem and expenses.

[Approved March 21, 1901.]

CHAPTER 87.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 251 OF THE PUBLIC STATUTES, RELATING TO SEARCH-WARRANTS.

SECTION 1. Justice may issue search-warrant for oleomargarine.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That chapter 251 of the Public Statutes be amended by inserting at the end of section 1 the following: Search-warrant for oleomargarine.

VII. Oleomargarine, butterine, or any oleaginous substance not produced from pure unadulterated milk or cream of the same, which is in imitation of yellow butter.

[Approved March 22, 1901.]

CHAPTER 88.

AN ACT TO PROVIDE FOR THE ASSESSMENT AND COLLECTION OF AN ANNUAL STATE TAX FOR THE TERM OF TWO YEARS.

SECTION 1. State tax for 1902 and 1903.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The sum of four hundred and twenty-five thousand dollars shall be raised annually for the use of the state for the years 1902 and 1903, and the state treasurer is hereby directed seasonably to issue his warrants to the selectmen of the several towns and places, and to the assessors of the several cities in this state, according to the apportionment of the public taxes made at the January session of the legislature in 1899; and the selectmen of such towns and places and the assessors of such cities are hereby directed to assess the sums specified in said warrants and cause the same to be paid to said treasurer on or before the first day of December, 1902 and 1903; and the state treasurer is hereby authorized to issue his extent for all taxes which shall remain unpaid on the dates last above mentioned. State tax for 1902 and 1903.

[Approved March 22, 1901.]

CHAPTER 89.

AN ACT IN RELATION TO THE POWERS AND DUTIES OF TOWNS.

SECTION

1. Appropriations exceeding one thousand dollars to be by ballot and check-list in certain towns.

SECTION

2. Repealing clause; act takes effect on passage; applies to what towns.

Be it enacted by the Senate and House of Representatives in General Court convened:

No appropriation of money except by ballot.

SECTION 1. Excepting the appropriations required by law for the payment of state and county taxes, and for the support of schools, no sum of money exceeding one thousand dollars shall be raised or appropriated for any one object at any meeting of any town the population of which, according to the last preceding national census, exceeds three thousand inhabitants, except by ballot and the use of the check-list, if the use of the check-list is requested by seven legal voters of the town.

Repealing clause; act takes effect on passage; applies to what towns.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

This act shall apply only to such towns as shall adopt the same and at a legal meeting, the warrant for which contains an article providing for such adoption.

[Approved March 22, 1901.]

CHAPTER 90.

AN ACT TO PROHIBIT THE TAKING OF SALMON FROM BERRY POND IN PITTSFIELD FOR FIVE YEARS FROM APRIL 1, 1901.

SECTION

1. Salmon in Berry pond protected.

SECTION

2. Penalty for violation.

Be it enacted by the Senate and House of Representatives in General Court convened:

Salmon protected.

SECTION 1. That for the term of five years from April 1, 1901, no person shall take any salmon from Berry pond, the reservoir and water supply of the town of Pittsfield in the county of Merrimack.

Penalty.

SECT. 2. Any person violating the provision of this act shall be subject to a fine not exceeding twenty dollars.

[Approved March 22, 1901.]

CHAPTER 91.

AN ACT TO PROTECT THE WATERS OF STILLWATER POND IN SALEM.

SECTION

1. Sole use and control granted.

SECTION

2. Repealing clause ; act takes effect on passage.

WHEREAS, Edward F. Searles is the owner of all the real estate surrounding the pond in Salem known as "Stillwater pond," and

WHEREAS, Said Searles is desirous of improving and beautifying said land surrounding said pond, and for that purpose wishes the absolute control of said pond for a limited period; therefore

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Edward F. Searles, his heirs and assigns, are hereby authorized to have and maintain the sole and uninterrupted use, enjoyment, benefit, and control of Stillwater pond, so called, in the town of Salem for and during the term of five years. Sole use and control.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved March 22, 1901.]

CHAPTER 92.

AN ACT IN AMENDMENT OF CHAPTER 88 OF THE PUBLIC STATUTES, IN RELATION TO THE RAISING OF SCHOOL MONEY.

SECTION

1. School tax, amount and assessment.

SECTION

2. Takes effect January 1, 1902.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of chapter 88 of the Public Statutes, as amended by chapter 57 of the Session Laws of 1893, and chapter 83 of the Session Laws of 1895, is hereby amended by striking out the word "five" in the third line and inserting in place thereof the word six, so that said section shall read: School tax, amount and assessment.

SECTION 1. The selectmen in each town shall assess annually upon the polls and ratable estate taxable therein, a sum to be computed at the rate of six hundred dollars for every dollar of the public taxes apportioned to such town, and so for a greater or less sum.

SECT. 2. This act shall take effect January 1, 1902.

Takes effect
Jan. 1, 1902.

[Approved March 22, 1901.]

CHAPTER 93.

AN ACT IN AMENDMENT OF SECTION 4, CHAPTER 27, LAWS OF 1895, ENTITLED "AN ACT IN RELATION TO THE INCORPORATION, ORGANIZATION, AND REGULATION OF STREET RAILWAY COMPANIES, AND AUTHORIZING THE USE OF ELECTRICITY AS A MOTIVE POWER BY EXISTING STEAM RAILROADS."

SECTION

1. Street railway corporations may take land for power plants, car-houses, etc.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Street railway corporations may take land for certain purposes.

SECTION 1. Amend section 4, chapter 27, Laws of 1895, by inserting after the words "Public Statutes" in the third line thereof the following:

Said railway corporations may take and hold in the manner provided by said statute such land as may be necessary for the purposes of installing and maintaining power plants, car-houses and depots, repair shops, pole lines, wires, side-tracks, and gravel pits, so that said section as amended will read as follows:

SECT. 4. All parts of street railways, not located in a public highway, shall be laid out, located, and the location changed, under the provisions of chapter 158 of the Public Statutes; said railway corporations may take and hold in the manner provided by said statute such land as may be necessary for the purposes of installing and maintaining power plants, car-houses and depots, repair shops, pole lines, wires, side-tracks, and gravel pits; and said railway corporation and all persons whose property shall be taken for the use of such railway corporation shall have respectively all the rights and privileges, and be subject to all the duties, restrictions, and liabilities contained in said chapter.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 94.

AN ACT TO AUTHORIZE THE ATTESTATION OF THE RECORDING OF
THE RECORDS IN COOS COUNTY DAMAGED BY FIRE.

SECTION

1. Attestation of Coos county records.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the county commissioners for Coös county may employ some competent person to record the records damaged by fire in said county and the person so employed is hereby authorized to attest said records the same as any register of deeds and with the same effect. Attestation of records.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 22, 1901.]

CHAPTER 95.

AN ACT TO PROVIDE FOR THE PUBLICATION AND DISTRIBUTION OF
PUBLIC ACTS AND RESOLVES.

SECTION

1. Laws to be published on what conditions.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That chapter 5 of the Public Statutes be amended by striking out section 7 of said chapter, and the sub-sections thereof, and insert instead thereof, the following: Laws to be published, on what conditions.

SECT. 7. The secretary of state shall cause the public acts and resolves to be published and distributed in each weekly newspaper printed and circulated in the state, upon the following conditions:

I. They shall be printed in type not smaller than nonpareil, on fair quality of book paper, in pamphlet form, nine by twelve inches square, with an index. The sheets shall be stitched and issued as a supplement to such weekly papers.

II. They shall be published and distributed to each subscriber within forty days of the close of the session.

III. No publisher shall receive any compensation unless all the public acts and resolves are published in said supplement, nor shall any publisher, firm, or corporation receive compensation for more than one newspaper, nor unless such supplement

is furnished the subscribers of all weekly papers published and issued by such publisher, firm, or corporation.

IV. The publisher shall furnish to the state treasurer a copy of such supplement, and make oath, upon a form prepared for that purpose, that he has furnished a like copy to each and every subscriber of his paper or papers, when the treasurer shall give him a certificate of the fact, and the governor on receipt of such certificate shall draw his warrant upon the treasurer to pay for such publication at the rate of sixty cents for every printed page of the pamphlet laws.

The publisher shall, without further compensation, beginning with the first number of the volume of such publication next after the passage of this act, send one copy of the newspaper regularly to the state library.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 96.

AN ACT RELATING TO HIGH SCHOOLS.

SECTION

1. Town not maintaining high school to pay tuition of resident attending elsewhere.
2. Town liable for neglect to pay.
3. Annual appropriation for such tuition; how paid.

SECTION

4. "High school" or "academy" defined.
5. Town so paying entitled to share of literary fund.
6. Takes effect August 1, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

Town not
maintaining
high school to
pay tuition of
resident
scholar.

SECTION 1. Any town not maintaining a high school or school of corresponding grade shall pay for the tuition of any child who with parents or guardian resides in said town and who attends a high school or academy in the same or another town or city in this state, and the parent or guardian of such child shall notify the school board of the district in which he resides of the high school or academy which he has determined to attend.

Town liable
for neglect.

SECT. 2. If any town in which a high school or school of corresponding grade is not maintained neglects or refuses to pay for tuition as provided in the preceding section, such town shall be liable therefor to the parent or guardian of the child furnished with such tuition if the parent or guardian has paid the same, or to the town or city furnishing the same in an action of contract.

SECT. 3. Five thousand dollars shall be appropriated annually from the state treasury for the payment of tuition in high schools or academies, to be paid by the state treasurer in the month of December of each year to the treasurers of such towns as are entitled, and in such manner as is hereinafter provided, upon a sworn certificate of the superintendent of public instruction of the sums due.

Annual appropriation for such tuition; how paid.

Towns whose rate of taxation for school purposes in any year is \$3.50 or more on \$1,000, and whose average rate of taxation for all purposes for five years next preceding is \$16.50 or more on \$1,000, shall receive a share of said appropriation as follows:

If the tax rate is from \$16.50 to \$17.49, one tenth of the tuition paid.

If the tax rate is from \$17.50 to \$18.49, two tenths of the tuition paid.

If the tax rate is from \$18.50 to \$19.49, three tenths of the tuition paid.

If the tax rate is from \$19.50 to \$20.49, four tenths of the tuition paid.

If the tax rate is from \$20.50 to \$21.49, five tenths of the tuition paid.

If the tax rate is from \$21.50 to \$22.49, six tenths of the tuition paid.

If the tax rate is from \$22.50 to \$23.49, seven tenths of the tuition paid.

If the tax rate is from \$23.50 to \$24.49, eight tenths of the tuition paid.

If the tax rate is from \$24.50 to \$25.49, nine tenths of the tuition paid.

Over \$25.49, the whole of such tuition,

If more than \$5,000 should be needed in any year for the purposes of this act, the said \$5,000 shall be distributed *pro rata* to the towns entitled to receive the same, in accordance with the foregoing classification.

SECT. 4. By the term "high school" or "academy," as used in this act, is understood a school having at least one four years' course properly equipped and teaching such subjects as are required for admission to college, technical school, and normal school, such high school or academy to be approved by the state superintendent of public instruction as complying with the requirements of this section.

"High school" or "academy" defined.

SECT. 5. Towns paying tuition of scholars in high schools or academies shall receive a proportionate share of the literary fund for the attendance of such pupils. All academies and private schools shall be furnished with copies of the school register, and shall make an annual statistical report to the state superintendent.

Towns entitled to share of literary fund.

SECT. 6. This act shall take effect August 1, 1901.

Takes effect August 1, 1901.

[Approved March 22, 1901.]

CHAPTER 97.

AN ACT TO PROVIDE FOR THE SURVEY, LOCATION, AND CONSTRUCTION OF THE JEFFERSON NOTCH ROAD, IN JEFFERSON, LOW AND BURBANK'S GRANT, CRAWFORD'S PURCHASE, AND BEAN'S PURCHASE.

SECTION

1. Commission to survey and locate highway.
2. Highway to be surveyed and located in two sections.
3. Commissioners to secure conveyances or assess damages.
4. Return of assessments.
5. Agents to contract for and superintend construction.

SECTION

6. Conditional appropriation for first section.
7. Conditional appropriation for second section.
8. Awards to landowners, how paid.
9. State and town of Jefferson not liable for defect.
10. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Commission to survey and locate highway.

SECTION 1. The governor, with the advice of the council, shall appoint a commission of three persons to survey and locate a highway beginning at a point in Jefferson on the highway leading from Lancaster to Gorham, opposite the house of Ethan A. Crawford, thence southerly through Jefferson, Low and Burbank's Grant, and Crawford's Purchase to a point on Mount Washington turnpike near the Twin River Farm, thence from said turnpike through Crawford's Purchase and Bean's Purchase to some point on the highway through Crawford's Notch near the Crawford House. The commissioners shall be appointed and commissioned on or before May 1, and shall make said survey and locate said highway, and make return of such survey and location of said highway to the secretary of state prior to June 15, 1901.

To be surveyed and located in two sections.

SECT. 2. The commissioners shall survey and locate said road in two sections, or parts, one section, or part, extending from the point of beginning in Jefferson to the Mount Washington turnpike near Twin River Farm, and the other part, or section, from said turnpike to the terminus on the Crawford Notch road near the Crawford House, and the commissioners shall make a separate return to the secretary of state of the survey and location of each section of said road.

Commissioners to secure conveyances or assess damages.

SECT. 3. After making the survey and location of said road, and making a return thereof to the secretary of state, as provided in the last preceding section, the commissioners may secure from the respective owners thereof a conveyance, or conveyances, to the state, of the fee or an easement in the land covered by such location; and should any owner of land or property taken for said road, or any part thereof, refuse to make such conveyance, without compensation, the commissioners shall assess the damages sustained by such owner of land or property so taken upon giving such owner notice of a hearing upon the question of such damages, at least ten days before hearing there-

on, in the manner in which notice is given by selectmen of a hearing for the assessment of damages for land taken for highways laid out by them; and an appeal may be taken from the decision of said commissioners, in the assessment of such damages, as in the assessment of damages for land taken for a highway laid out by selectmen.

SECT. 4. The commissioners shall make return of any assessment of damages by them made, within ten days after hearing thereon, to the secretary of state, and the clerk of the supreme court of the county in which the land taken is located; and such assessment or assessments must be made and completed, and return thereof made as before provided, on or before July 1, 1901.

Return of assessments.

SECT. 5. The governor, with the advice of the council, shall appoint three persons who shall act as agents, with authority to make a contract or contracts with the lowest responsible bidder or bidders for the construction of the whole or any part of each section of said road; such contract or contracts to be in the names of said agents and subject to the approval of the governor; and such agents shall be authorized and required to superintend the construction of said road and all parts thereof to ascertain that the same is being constructed and has been completed in accordance with the terms of the contract or contracts therefor. It is provided, however, that the agents thus appointed and commissioned, for the purpose of making contract for and superintending the construction of said road, shall serve without compensation.

Agents to contract for and superintend construction.

SECT. 6. It is further provided that said contract or contracts for the construction of that section of said road between the point of beginning in Jefferson and the point on the Mount Washington turnpike near the Twin River Farm, shall not be approved by the governor until a sum sufficient to construct the same, less six thousand dollars, shall have been either paid to said agents, or the payment thereof upon the completion of said section guaranteed to the satisfaction of the governor, the amount to be subscribed, paid in, or guaranteed, to be not less than five thousand dollars. The contract or contracts herein authorized shall provide for the construction of a road suitable for the use and accommodation of persons with teams and shall be constructed and completed to the satisfaction of the agents and the governor. And upon satisfactory proof that a sum sufficient in addition to six thousand dollars and not less than five thousand dollars has been provided by subscription, payment, or guaranty of an amount sufficient to pay the cost of the construction of said road from Jefferson to the Mount Washington turnpike at Twin River Farm, the amount of six thousand dollars be and the same is hereby appropriated to aid in the construction of the same, and the governor is authorized to draw his warrant for said sum of six thousand dollars, or such part thereof as may be necessary, in addition to said five thousand dollars to complete said section of said road.

Conditional appropriation for first section.

SECT. 7. And it is further provided that the contract or contracts for the construction of that section of said road between

Conditional appropriation for second section.

the Mount Washington turnpike, near Twin Mountain Farm, and the point upon the highway near the Crawford House, shall not be approved by the governor until he has satisfactory proof that a sufficient amount to construct the same, less four thousand dollars, shall either have been paid to said agents or the payment thereof, upon the completion of said section, guaranteed to the satisfaction of the governor. The character of the road to be constructed to be the same as that provided for in the preceding section, and the same to be constructed and completed to the satisfaction of the agents and the governor. And upon satisfactory proof that a sum sufficient, in addition to four thousand dollars, has been provided by subscription, payment, or guaranty, to construct said section from the Mount Washington turnpike to the point near the Crawford House, the sum of four thousand dollars be and the same is hereby appropriated to aid in the construction of the same, and the governor is authorized to draw his warrant for said sum of four thousand dollars from any money in the treasury not otherwise appropriated.

Awards to
landowners,
how paid.

SECT. 8. The sums awarded to owners of land taken for said road, or any part thereof, by the commissioners shall be paid out of the amount heretofore provided for and appropriated for the respective sections of said road, or out of the amount contributed or guaranteed by others interested in the construction of said road.

No liability
for defect.

SECT. 9. No action shall be maintained against the state or the town of Jefferson for any injury to person or property on any part of the road located and constructed under the provisions of this chapter, nor shall any indictment or information be maintained against any town on account of the condition of said road.

Takes effect
on passage.

SECT. 10. This act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 98.

AN ACT IN AMENDMENT OF CHAPTER 85, LAWS OF 1895, RELATING TO THE PROTECTION AND PRESERVATION OF ORNAMENTAL AND SHADE TREES IN THE HIGHWAYS.

SECTION

1. Tree wardens provided for.
2. Shade and ornamental trees to be marked.
3. Trees may be purchased, if private property.
4. Appropriation for use of warden.

SECTION

5. Cutting of public trees regulated.
6. Injury and defacement prohibited.
7. Brush fires regulated.
8. Penalties for violations.
9. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Tree wardens
provided for.

SECTION 1. Mayors of cities and selectmen of towns shall, immediately upon the passage of this act, and annually there-

after, appoint one or more tree wardens, who shall be discreet persons, resident of the city or town where appointed, interested in the planting, pruning, and preservation of shade and ornamental trees in public ways and grounds, whose business it shall be to perform the duties hereinafter specified, and shall be allowed such compensation for their services and expenses as the mayor or selectmen may deem reasonable.

SECT. 2. Towns and cities shall have control of all shade and ornamental trees situated in any public way or ground within their limits, which the tree warden deems reasonably necessary for the purpose of shade and ornamentation; and it shall be the duty of the tree wardens, as soon as possible after their appointment, to carefully examine the trees, situated as aforesaid, and to plainly mark such trees as they think should be controlled by their municipality, for the purposes aforesaid, by driving into each tree, at a point not less than three nor more than six feet from the ground, on the side toward the highway, a nail or spike, with the letters "N. H." cut or cast upon the head. Said spikes or nails shall be procured by the secretary of the forestry commission, and furnished by him to said officers as may be required by them for the purposes of this act, at a cost not to exceed five hundred dollars a year. If any of the nails or spikes shall be destroyed or defaced, it shall be the duty of the warden to renew them as soon as possible after he is informed or discovers that they have been removed. They shall also have the power to designate from time to time, in the same manner as hereinbefore directed, such other trees within the limits of the public ways and grounds as in his [their] judgment should be preserved for ornament or shade.

Trees to be marked.

SECT. 3. If any of the trees designated as aforesaid should prove to be private property, and the owners thereof refuse to release or convey their interest therein to the municipality, the tree warden shall acquire them for the use of the city or town, by purchase, if it can be done at a fair price. Failing in this he may, on petition for that purpose, acquire them in the same way and manner and with the same right of appeal to their owners as in the case of land taken for a highway.

Trees may be purchased.

SECT. 4. Towns and cities may annually appropriate money not exceeding in the aggregate fifty cents for each of their ratable polls in the preceding year, to be used by the tree warden in planting, pruning, protecting, and, whenever necessary, acquiring, shade and ornamental trees within the limits of their public ways and grounds.

Appropriation for use of warden.

SECT. 5. Whoever desires the cutting and removal in whole, or in part, of any public shade or ornamental tree, may apply to the tree warden, who shall give a public hearing, upon the application, at some suitable time and place, after duly publishing and posting notices of the hearing in two or more public places in town, and also upon the tree or trees which it is desired to cut and remove; *provided, however*, that the tree warden may, if he deems it expedient, grant permission for such cutting or

Cutting of public trees.

removal, without a hearing, if the tree or trees in question is on a public way outside of the residential part of the town limits, such residential part to be determined by the tree warden. No tree within such residential limit shall be cut by the tree warden, except to trim it, or removed by him, without a hearing, as aforesaid. The decision of the tree warden shall be final.

Injury and
defacement
prohibited.

SECT. 6. It shall be unlawful to cut, destroy, injure, deface, or break any public shade or ornamental tree, or to affix to any such tree a play bill, picture, announcement, notice, advertisement, or other device or thing, whether in writing or otherwise, or to paint or mark such tree, except for the purpose of protecting it, and under a written permit from the tree warden, or to negligently or carelessly suffer any horse or other beast, driven or being lawfully in a public way or place, to break down, injure, or destroy a shade or ornamental tree within the limits of said public way or place; or to negligently or willfully, by any other means, break down or injure any such tree.

Brush fires
regulated.

SECT. 7. Owners of land abutting on the highways, and all other persons, are hereby prohibited from burning brush within or beside highways without first removing the brush such distance from the trees within the highway as not to endanger or injure them in any manner.

Penalties.

SECT. 8. Persons violating any of the provisions of this act shall forfeit not less than five nor more than one hundred dollars, to be recovered in an action of debt by the tree warden or any other person for the benefit of the town or city in which the tree is situated, or be fined not less than five or more than one hundred dollars.

Repealing
clause; act
takes effect
on passage.

SECT. 9. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 99.

AN ACT IN AMENDMENT OF CHAPTER 55 OF THE SESSION LAWS OF 1899, RELATIVE TO THE EXAMINATION OF PLUMBERS AND THE REGULATION OF PLUMBING AND HOUSE DRAINAGE.

SECTION

1. Plumber to have license or certificate in cities and towns adopting act.
2. Cities and towns adopting act may prescribe rules and regulations and create examining boards.

SECTION

3. Duties of examining board.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Plumbers to
have license
or certificate.

SECTION 1. That section 1 of chapter 55 of the Session Laws of 1899 is hereby amended by inserting after the word "city"

in the second line of the first section thereof the words, or town, and striking out in the said second line and in the third line thereof the words "or in such towns," so that the same shall read as follows :

SECTION 1. No person, firm, or corporation engaged in or working at the business of plumbing in any city or town in this state as shall by vote adopt the provisions of this chapter, shall hereafter engage in or work at said business in this state, either as a master or employing plumber, or as a journeyman plumber, unless such person or persons shall first obtain license or certificate so to do, in accordance with the provisions of this act.

SECT. 2. That section 3 of said act is hereby amended by striking out the word "every" in the first line and inserting in lieu thereof the words, any such, before the word "city"; by inserting the words, or towns, after the said word "city"; by striking out the words "any such towns as above provided" in first and second line and inserting in lieu thereof the words, which shall by vote adopt the provisions of this chapter as aforesaid; by striking out the word "shall" in the said second line and inserting in lieu thereof the word may before the words "by ordinance"; and by striking out in the second and third lines the words "within six months from the passage of this act," so that said section shall read as follows :

Cities and towns adopting act may prescribe rules and regulations and create examining boards.

SECT. 3. Any such city or town in this state which shall by vote adopt the provisions of this chapter, may by ordinance or by-law prescribe rules and regulations for the materials, construction, alteration, and inspection of all plumbing, house drainage, and sewer connections, creating a board for the examination of plumbers, fixing the length of term each member shall serve, and providing for an inspector of plumbing. Said board shall be appointed by the mayor or board of selectmen, and shall consist of the following three persons: A member of the local board of health, the city or town engineer, or, in the absence of such officer, a local physician in regular practice, and a journeyman plumber of not less than five years' active and continuous practical experience.

SECT. 3. That section 4 of said act is hereby amended by striking out the word "herein" and inserting in lieu thereof the word when, and by inserting after the word "created" the words, as aforesaid, so that said section when amended shall read as follows :

Duties of examining board.

SECT. 4. The examining board when created as aforesaid shall examine and pass upon all applicants, whether as masters or employing plumbers, or journeyman plumbers, in their respective cities or towns, and also all persons who may apply for the office of plumbing inspector. They shall issue a license to such persons only as shall successfully pass the required written and practical examination; and they shall register in a book kept for that purpose the names and places of business of all persons to whom a plumber's license has been granted. They shall not issue a license for more than one year, but the same

shall be renewed from year to year upon proper application and upon the payment of a fee of fifty cents. Said examining board shall serve without compensation. Each applicant for examination for a plumber's license or certificate shall pay the sum of one dollar, and all moneys so collected shall be paid into the treasury of the city or town where such application is made. The license or certificate provided for by this act shall be non-transferable; and said application and examination shall not be required of the same person more than once in the same city or town. Said license or certificate shall be valid throughout the state.

Takes effect
on passage.

SECT. 4. This act shall take effect on its passage.

[Approved March 22, 1901.]

CHAPTER 100.

AN ACT TO PROVIDE FOR SPECIAL TERMS OF THE SUPERIOR COURT
IN THE COUNTIES OF CARROLL AND BELKNAP.

SECTION

1. Special terms of superior court for
Carroll and Belknap counties.

SECTION

2. Takes effect April 1, 1901.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

Special terms
of superior
court for Car-
roll and Bel-
knap counties

SECTION 1. A special term of the superior court shall be holden at Ossipee in the county of Carroll to commence on the third Tuesday of April next, and a special term of the superior court shall be holden at Laconia in the county of Belknap on the first Tuesday of May next. All writs and processes which have been issued or may be issued before the first day of April next and made returnable at the trial terms of the former supreme court for said counties shall be returnable to said special terms of the superior court; all precepts, recognizances, and proceedings of every kind now returnable at the trial terms of the former supreme court for said counties shall be returnable at said special terms herein provided; and all proceedings now upon the trial term docket of the former supreme court for said counties shall be heard and tried by the superior court under the provisions of the act establishing two courts, and said superior court at the said term shall have all the powers and duties as if said special terms had been provided for in the act hereinbefore mentioned.

Takes effect
April 1, 1901.

SECT. 2. This act shall take effect the first day of April, 1901.

[Approved March 22, 1901.]

CHAPTER 101.

AN ACT TO AMEND SECTION 14, CHAPTER 286 OF THE PUBLIC STATUTES, RELATING TO THE SALARY OF THE JUDGE OF PROBATE FOR COOS COUNTY.

SECTION

1. Salary of judge of probate for Coös county.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 14, chapter 286 of the Public Statutes, be amended by striking out the word "five" in the twelfth line of said section and inserting the word six, so that said line shall read as follows: In Coös county six hundred dollars.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved March 22, 1901.]

CHAPTER 102.

AN ACT TO PROVIDE FOR THE CARE AND EDUCATION OF FEEBLE-MINDED CHILDREN.

SECTION

1. School for idiotic and feeble-minded children to be established.
2. Trustees to be appointed.
3. Governor *ex-officio* member.
4. Destitute children admitted as state charges; children from other states admitted, when.
5. Children may be committed by judge of probate, when.
6. Appeal from order of committal; discharge of inmate.

SECTION

7. Order of admission.
8. Purchase of site and erection of building.
9. Trustees may make rules and regulations.
10. Appropriation for two years.
11. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The state shall establish and maintain a school for the care and education of the idiotic and feeble-minded, between three and twenty-one years of age, which shall be known as the New Hampshire School for the Feeble-minded Children. All children supported by towns or counties in the state, who in the judgment of the selectmen of towns or county commissioners of the county or state board of charities are capable of being benefited by school instruction, shall be committed to this institution.

School for idiotic and feeble-minded children to be established.

Trustees to
be appointed.

SECT. 2. The governor shall, with the advice and consent of the council, appoint five persons, one of whom shall be a woman, to be trustees of such school, who shall serve without compensation, except that they shall be reimbursed for any necessary expenses they may incur in the discharge of their duties as trustees. The trustees shall be appointed as follows: The first three to serve for two years, the next two for four years, and thereafter trustees shall be appointed to serve four years. Said trustees shall have the general management and supervision of said school, and one or more of said trustees shall visit the school as often as once a month, and said board of trustees shall annually, on or before the first day of October of each year, furnish a report to the governor and council, containing a history of the school for the year and a complete statement of the accounts with all the funds, general and special, appropriated or belonging to said school, with a detailed statement of disbursements.

Governor *ex officio*
member.

SECT. 3. The governor shall be, *ex officio*, a member of the board of trustees of said school and shall annually visit and inspect the same.

Destitute
children ad-
mitted as
state charges;
children from
other states.

SECT. 4. All indigent and destitute children in this state who are proper subjects for said school, and who have no parents, kinsmen, friends, or guardians able to provide for them, may be admitted as state charges, and all other children in this state who are proper subjects for said school whose parents or other kinsmen bound by law to support such children are able to pay, shall pay such sum for care, education, and maintenance of such children as the trustees may hereafter determine; and such children and children from other states not having similar schools may be received into said school whenever there is room for them, providing there is room for them without excluding state charges, at a cost to such persons or those who are responsible for their maintenance of not less than three dollars and twenty-five cents per week.

Children may
be committed
by judge of
probate,
when.

SECT. 5. Whenever it is made to appear upon application to the judge of probate for any county, and after a proper hearing, that any child resident within said county, and who is not already in any almshouse, the industrial school, or the New Hampshire hospital, or supported by any town or county, is a fit subject for the New Hampshire School for Feeble-minded Children, such judge may commit such child to said New Hampshire School for Feeble-minded Children by an order of commitment directed to the trustees thereof, accompanied by the certificate of two physicians who are graduates of some legally organized medical college and have practiced three years in this state that such child is a suitable subject for said institution. Whenever, upon such application, there is occasion for the judge of probate to attend a hearing on days other than those fixed by statute as the regular days for the sitting of the probate court he shall be allowed five dollars a day for his services and his expenses, which shall be paid by the county treasurer upon the certificate of the county commissioners.

SECT. 6. Any order of committal under this act shall be subject to appeal in the same manner, by the same persons, and to the same extent that decrees of the judge of probate appointing guardians over persons alleged to be insane are subject to appeal, and no commitment under this act shall bar *habeas corpus* proceedings, but the court upon *habeas corpus* proceedings may confirm the order of commitment whenever justice requires. Any inmate of the New Hampshire School for Feeble-minded Children may be discharged by any three of the trustees, or by a justice of the superior or supreme court, whenever a further detention at the school is, in their opinion, unnecessary; but any person so discharged who was under sentence of imprisonment at the time of his commitment, the period of which shall not have expired, shall be remanded to prison.

Appeal from
committal;
discharge of
inmate.

SECT. 7. Feeble-minded children shall be admitted to the institution in the following order: First, feeble-minded children now in public institutions supported entirely at public expense; second, the feeble-minded children not supported as aforesaid; third, the feeble-minded children of the state not in any public institution, who have no parents, kinsmen, or guardian able to provide for them, or who are committed by a judge of probate; fourth, those residing within the state whose parents, kinsmen, or guardian bound by law to support such children are able to pay; fifth, children of other states whose parents or guardians are able and willing to pay.

Order of ad-
mission.

SECT. 8. The board of trustees, as soon as appointed and organized, shall proceed as soon as practical to purchase a suitable site for said school and home, and erect thereon and properly furnish and equip suitable buildings and structures, to accomplish the objects set forth in this act.

Purchase of
site and
erection of
building.

SECT. 9. Said trustees shall have power to make all necessary rules and regulations as to admission to the institution and for the government and control of said institution and its inmates, and to do everything that is necessary to properly care for and educate the feeble-minded children of the state. All bills contracted by them in purchasing a site, erecting, repairing, and equipping suitable buildings and operating the institution for the next two years shall be audited by the auditor of the state treasurer's accounts, and the governor shall draw his warrant upon any money in the treasury to pay the same.

Trustees may
make rules
and regula-
tions.

SECT. 10. A sum of money not exceeding thirty thousand dollars shall be appropriated under this act, to be used or expended for the purposes named therein within the next two years.

Appropriation for two
years.

SECT. 11. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage.

Repealing
clause; act
takes effect
on passage.

[Approved March 22', 1901.]

CHAPTER 103.

AN ACT RELATING TO THE ELECTION OF REPRESENTATIVES TO THE
GENERAL COURT.

SECTION

1. Apportionment of representatives.
2. Representation of towns having less than six hundred inhabitants.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Apportionment of representatives.

SECTION 1. Until another general census of the state is taken and officially promulgated, the following named towns and wards may send representatives to the general court under the authority of the constitution as follows:

Towns entitled to one representative each.

One representative each from Alexandria, Allenstown, Alstead, Alton, Amherst, Andover, Antrim, Ashland, Auburn, Barnstead, Barrington, Bartlett, Bath, Bedford, Belmont, Bennington, Bethlehem, Boscawen, Bow, Bradford, Brentwood, Bristol, Brookline, Campton, Canaan, Candia, Canterbury, Carroll, Charlestown, Chester, Chesterfield, Columbia, wards two, three, and eight of Concord, Cornish, Danbury, Danville, Deerfield, Durham, Dublin, ward five of Dover, Effingham, Epping, Epsom, Fitzwilliam, Francestown, Franconia, ward one of Franklin, Fremont, Gilford, Gilmanton, Gorham, Greenfield, Greenland, Greenville, Grafton, Hampton, Hampstead, Hancock, Harrisville, Henniker, Holderness, Hollis, Hooksett, Hopkinton, Hill, Hudson, Jackson, Jefferson, wards four and five of Keene, Kingston, ward three of Laconia, Londonderry, Loudon, Lyme, Lyndeborough, ward seven of Manchester, Marlborough, Meredith, Merrimack, Milan, Milton, Moultonborough, wards four, five, and six of Nashua, New Boston, New Durham, Newfields, New Hampton, New Ipswich, New London, Northfield, Northwood, Nottingham, North Hampton, Newton, Orford, Ossipee, Pelham, Piermont, Pittsburg, Plainfield, Plaistow, wards four and five of Portsmouth, Raymond, Rindge, Rollinsford, wards one, two, three, five, and six of Rochester, Rumney, Rye, Salisbury, Sandwich, Sanbornton, Seabrook, wards one, two, three, and five of Somersworth, Stark, Strafford, Stratford, Stratham, Stewartstown, Sunapee, Sutton, Swanze, Tamworth, Troy, Tuftonborough, Warner, Wakefield, Warren, Weare, Wentworth, Westmoreland, Wilton, Wilmot, Windham, and Woodstock.

Two representatives each

Two representatives each from ward three of Berlin, wards one, five, and nine of Concord, Colebrook, wards one and three of Dover, Enfield, Farmington, wards two and three of Franklin, Goffstown, Hanover, Hillsborough, Hinsdale, Jaffrey, wards one, two, and three of Keene, wards one, two, and four of Laconia, Lisbon, wards one and two of Nashua, Newmarket, Northumberland, Peterborough, Pittsfield, Plymouth, wards one and three of Portsmouth, ward four of Rochester, Salem, ward

four of Somersworth, Tilton, Walpole, Whitefield, Winchester, and Wolfeborough.

Three representatives each from wards one and two of Berlin, wards four, six, and seven of Concord, Conway, Derry, wards two and four of Dover, Haverhill, Lancaster, Littleton, ward one of Manchester, Milford, wards three, seven, and eight of Nashua, Newport, Pembroke, and ward two of Portsmouth.

Four representatives each from Exeter, Lebanon, wards six and ten of Manchester, and ward nine of Nashua.

Five representatives each from Claremont and wards two and eight of Manchester.

Six representatives each from wards three and four of Manchester.

Seven representatives from ward nine of Manchester.

Eight representatives from ward five of Manchester.

SECT. 2. The following named towns, not having six hundred inhabitants according to the census of 1900, may each elect a representative, and send him to the general court such proportionate part of the time as the number of their inhabitants, according to said census, bears to six hundred; that is to say, they may elect one representative in each of the years set opposite their names in the following list:

Acworth — in the years 1902, 1904, 1906, 1908, 1910.

Albany — in the years 1902, 1910.

Atkinson — in the years 1902, 1904, 1908, 1910.

Benton — in the years 1904, 1908.

Bridgewater — in the years 1904, 1908.

Brookfield — in the years 1904, 1906, 1910.

Center Harbor — in the years 1902, 1906, 1910.

Chatham — in the years 1902, 1904, 1910.

Chichester — in the years 1902, 1904, 1906, 1908, 1910.

Clarksville — in the years 1902, 1904, 1908.

Croydon — in the years 1904, 1908, 1910.

Dalton — in the years 1902, 1904, 1906, 1908, 1910.

Deering — in the years 1902, 1904, 1906, 1908.

Dorchester — in the years 1904, 1906, 1910.

Dummer — in the years 1902, 1906, 1910.

Dunbarton — in the years 1902, 1904, 1906, 1908, 1910.

East Kingston — in the years 1904, 1906, 1908, 1910.

Easton — in the years 1904, 1906.

Eaton — in the years 1904, 1906, 1910.

Ellsworth — in the year 1904.

Erroll — in the years 1902, 1906, 1910.

Freedom — in the years 1902, 1904, 1906, 1908, 1910.

Gilsum — in the years 1902, 1904, 1906, 1908, 1910.

Goshen — in the years 1904, 1906, 1908.

Grantham — in the years 1902, 1904, 1910.

Groton — in the years 1904, 1908, 1910.

Hampton Falls — in the years 1902, 1904, 1906, 1908, 1910.

Hart's Location — in the year 1908.

Hebron — in the years 1902, 1906.

Three representatives each.

Four representatives each.

Five representatives each.

Six representatives.

Seven representatives.
Eight representatives.

Representation of towns having less than 600 inhabitants.

Kensington — in the years 1904, 1906, 1908, 1910.
 Landaff — in the years 1904, 1906, 1908, 1910.
 Langdon — in the years 1902, 1904, 1908.
 Lee — in the years 1902, 1904, 1906, 1908, 1910.
 Lempster — in the years 1904, 1906, 1908, 1910.
 Lincoln — in the years 1902, 1904, 1906, 1908, 1910.
 Litchfield — in the years 1902, 1906.
 Lyman — in the years 1904, 1908, 1910.
 Livermore — in the year 1908.
 Madbury — in the years 1902, 1906, 1910.
 Madison — in the years 1902, 1904, 1906, 1908.
 Mason — in the years 1902, 1906, 1908.
 Marlow — in the years 1902, 1904, 1908, 1910.
 Middleton — in the years 1902, 1906, 1910.
 Mont Vernon — in the years 1902, 1904, 1906, 1910.
 Monroe — in the years 1902, 1904, 1906, 1908, 1910.
 Newbury — in the years 1904, 1908, 1910.
 Nelson — in the years 1902, 1906, 1910.
 Newcastle — in the years 1902, 1904, 1906, 1908, 1910.
 Newington — in the years 1902, 1906, 1910.
 Orange — in the years 1902, 1908.
 Randolph — in the year 1904.
 Richmond — in the years 1902, 1904, 1908, 1910.
 Roxbury — in the year 1906.
 Sandown — in the years 1902, 1906, 1908.
 Sharon — in the year 1902.
 Shelburne — in the years 1902, 1906, 1908.
 South Hampton — in the years 1902, 1908, 1910.
 Springfield — in the years 1902, 1906, 1910.
 Stoddard — in the years 1902, 1906, 1910.
 Sullivan — in the years 1904, 1908.
 Surry — in the years 1904, 1908.
 Temple — in the years 1902, 1906, 1910.
 Thornton — in the years 1902, 1904, 1906, 1908, 1910.
 Unity — in the years 1902, 1904, 1906, 1908, 1910.
 Washington — in the years 1902, 1906, 1908.
 Waterville — in the year 1904.
 Webster — in the years 1902, 1906, 1908, 1910.
 Windsor — in the year 1908.

Repealing
 clause; act
 takes effect
 on passage.

§ 3. This act shall take effect upon its passage, and all acts and parts of acts inconsistent with this act, are hereby repealed.

[Approved March 22 1901.]

CHAPTER 104.

AN ACT IN RELATION TO THE ARRAIGNMENT AND TRIAL OF PERSONS CHARGED WITH MURDER IN EITHER DEGREE.

SECTION

1. Respondent to have copy of indictment, etc., counsel assigned by court, and process to compel witnesses to attend.
2. May be arraigned before one judge and sentenced on plea of guilty.
3. Peremptory challenges by respondent.

SECTION

4. Peremptory challenges by state.
5. Witnesses for state in rebuttal.
6. Compensation of counsel assigned to respondent.
7. Jury to be kept separate.
8. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Every person indicted for murder in either degree shall be entitled to a copy of the indictment before he is arraigned thereon; to a list of witnesses to be used, and of jurors returned to serve on the trial, with the place of abode of each, to be delivered to him twenty-four hours before the trial; to counsel learned in the law, not exceeding two, to be assigned to him by the court, at his request, who shall have access to him at all reasonable hours; and to such process from the court to compel witnesses to appear and testify at the trial as is usually granted on behalf of the state; and any person indicted for any other offense, the punishment whereof may be thirty years' imprisonment, shall be entitled to have counsel assigned him by the court if he is poor and unable to defray the expense of procuring their attendance.

To have copy of indictment, etc., counsel assigned by court, and compulsory process.

SECT. 2. A person indicted for murder in either degree may be arraigned before the court holden by one justice, and, if he plead guilty, the court may award sentence against him according to law; if he do not plead guilty, the court may assign him counsel, and take all other measures preparatory to a trial. At such trial two of the justices of the court shall be present.

May be arraigned before one judge.

SECT. 3. Every person arraigned and put on trial for murder in either degree may, in addition to challenges for cause, peremptorily challenge twenty of the jurors.

Peremptory challenges by respondent.

SECT. 4. Upon the trial of an indictment for murder in either degree, the state, in addition to challenges for cause, shall be entitled to ten peremptory challenges.

Peremptory challenges by state.

SECT. 5. In the trial of murder cases witnesses may be called in behalf of the state to rebut or explain any evidence of new matter offered by the defendant, or to discredit his witnesses, though the names of such witnesses have not been furnished to the defendant; but time may be allowed the defendant to answer such evidence, if in the opinion of the court justice requires it.

Witnesses for state in rebuttal.

SECT. 6. Counsel for prisoners in cases of murder, in either degree, or any other offense, the punishment whereof may be imprisonment for thirty years, when assigned by the court, shall

Compensation of counsel assigned.

receive reasonable compensation for their services, not exceeding one hundred and fifty dollars in all at any one trial, which shall be allowed by the court and paid by the county.

Jury to be kept separate.

SECT. 7. The jury impanelled to try cases of murder in either degree shall be kept separate from all other persons during the trial.

Repealing clause; act takes effect on passage.

SECT. 8. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 105.

AN ACT IN RELATION TO POLITICAL CAUCUSES AND CONVENTIONS.

SECTION

- 1. Caucuses, how called.
- 2. Notice; caucus to remain open, how long.
- 3. Nominations by ballot; check-list to be used.
- 4. Preparation of check-list.

SECTION

- 5. Power of local executive committee.
- 6. Who may vote.
- 7. Challenges; penalties for violations.
- 8. Presiding officer to make return.
- 9. Act in force, where.

Be it enacted by the Senate and House of Representatives in General Court convened:

Caucuses, how called.

SECTION 1. All town and ward caucuses shall be called by a notice posted in five conspicuous places in the town or ward, one of which places shall be the postoffice, if there is one in said town or ward, and published in some newspaper, if there be any, published in the town or city, ten days or more before the day of the caucus.

Notice; caucus to remain open, how long.

SECT. 2. Said notice shall specify the place and the day and hour of meeting, and shall further state the time during which the polls will be open for the reception of ballots, which shall be, in towns and wards having not more than two thousand inhabitants according to the last preceding national census, not less than two hours, and in towns and wards having more than two thousand inhabitants according to such census, not less than three hours.

Nominations by ballot.

SECT. 3. All nominations and elections at any caucus shall be by ballot, and in balloting a check-list shall invariably be used; a plurality shall in every case be sufficient to nominate or elect.

Preparation of check-list.

SECT. 4. The check-list for use at any caucus shall be prepared by the local executive committee of the party holding said caucus. Notice of the times and places where the executive committee will attend for the purpose of receiving evidence and suggestions as to the make-up of the check-list, shall be given in the same manner as notice of the caucus is required to

be given. No man shall be allowed to vote in the caucus unless his name is on the said check-list.

SECT. 5. The local executive committee of the party holding the caucus shall have full power to regulate the form, size, and character of the ballots to be used, and also to regulate the manner of conducting the caucus, in any way consistent with the provisions of this act. Power of local executive committee.

SECT. 6: No person shall vote in any caucus unless his name is on the check-list used by said caucus, or upon the name of any other person, and no person having voted in a town or ward caucus holden for the nomination or election of candidates to be voted for at any election, shall vote in the town or ward caucus of another political party holden for the nomination or election of candidates to be voted for at the same election. Who may vote.

SECT. 7. No person shall vote in any caucus unless he intends to support the ticket of the party holding the caucus at the next ensuing election. When the right of any person to vote in a caucus is challenged he shall stand aside and subscribe to the following oath or affirmation before his vote shall be received: Challenges; penalties.

I, ——— do solemnly swear (or affirm) that I am a legal voter in ———, and that I intend to vote the ticket of the party holding this caucus at the next ensuing election.

Any person who shall violate any of the provisions of this act shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding thirty days. Any person who shall swear falsely in regard to the provisions of this act shall be guilty of perjury and punished accordingly.

SECT. 8. The presiding officer of every caucus shall, within forty-eight hours after the close of said caucus, file with the clerk of the city or town in which such caucus was held, the check-list used in said caucus, and the said clerk shall keep the same for the full period of two calendar months thereafter, in his office, open to the inspection of every citizen of such city or town, and shall not make nor permit to be made upon such check-list any mark whatever. Presiding officer to make return.

SECT. 9. This act shall be in force in all cities of fifteen thousand inhabitants, according to the census of 1900, and in such other cities and towns of the state as shall by majority vote of the voters at an annual or biennial meeting adopt the same. Act in force, where.

[Approved March 22, 1901.]

CHAPTER 106.

AN ACT FOR THE PRODUCTION AND SALE OF PURE MILK IN THE
MARKETS OF THE STATE.

SECTION

1. Milk inspectors to secure certificates of competency.
2. Instruments to be tested.

SECTION

3. Record of certificates and tests.
4. Penalty for violation.
5. Takes effect July 1, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

Milk
inspectors to
secure certi-
ficates of
competency.

SECTION 1. Every person who holds or fills the position of milk inspector in any city or town in this state or who, either for himself or in the employ of any other person, firm, or corporation manipulates the Babcock test, or any other test, whether mechanical or chemical, for the purpose of measuring the contents of butter fat or solids in milk or cream as a basis for apportioning the value of such milk or cream, or the butter or cheese made from the same, shall procure from the superintendent of the dairy department of the New Hampshire College of Agriculture and the Mechanic Arts, a certificate showing that the holder is competent and well qualified to perform such work. The fee for issuing such certificate shall in no case exceed one dollar, the same to be paid by the applicant to said superintendent and to be used by the superintendent in meeting the expense incurred by him under this section.

Instruments
to be tested.

SECT. 2. Every instrument or piece of glassware used for testing or measuring milk or cream, at any creamery, butter factory, cheese factory, or condensed milk factory in determining the value of milk or cream received from different persons, or by any milk inspectors in any city or town in this state, shall be tested for accuracy of measurement, and for the accuracy of the per cent scale marked thereon, by the superintendent previously named or by some competent person designated by him. The superintendent or person thus designated shall so mark such instruments or glassware with such marks or characters as cannot be erased, which marks or characters shall stand as proof that they have been so tested; and no incorrect instruments or glassware shall be thus marked. The superintendent of the dairy school shall receive for such service the actual cost incurred and no more, the same to be paid by the person or corporation for whom the test is made.

Record of
certificates
and tests.

SECT. 3. The person or persons who grant certificates and test appliances at the New Hampshire College of Agriculture and the Mechanic Arts shall keep a record of all persons to whom certificates are issued, with the dates thereof, and of the number and description of all instruments and pieces of glassware inspected and marked, and for whom each article or lot was inspected and marked.

Penalty for
violation.

SECT. 4. Any person who tests milk or cream by the Babcock test or any other test, whether mechanical or chemical, for

the purpose of measuring the contents of butter fats or solids when sold as milk or as a basis for apportioning its value when used at creameries or factories, without first having obtained a certificate of competency in the manner previously named in this act, or who tests milk or cream to determine or apportion its value with appliances that have not been inspected and marked by the authorities herein named, shall be liable to a fine of not less than five dollars for each week that he or she serves or that such unmarked and untested appliances have been used.

SECT. 5. This act shall take effect July 1, 1901.

Takes effect
July 1, 1901.

[Approved March 22, 1901.]

CHAPTER 107.

AN ACT IN AMENDMENT OF CHAPTER 127 OF THE PUBLIC STATUTES, RELATING TO THE INSPECTION OF MILK.

SECTION

1. Boards of health of cities to have charge of inspection; selectmen may appoint inspectors; licenses to sell milk; selling without license, penalty; storekeepers to be licensed; right of inspectors to take samples; record of licenses; sale of skim-milk regulated;

SECTION

- record of convictions; connivance at violation, penalty; act to be in force, where.
2. Penalty for selling impure milk; milk deemed to be adulterated, when.
3. Repealing clause; act takes effect July 1, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That chapter 127 of the Public Statutes be amended by striking out sections 1 to 11 inclusive, and substitute instead thereof the following:

SECT. 1. The boards of health of cities shall be in charge of the inspection of milk, skim-milk, and cream, and may appoint one or more persons as their agents for that purpose who shall act under their direction in their respective places, and who may be removed by them at any time. The compensation to such agents shall be fixed by said boards of health, but no milk inspector shall be paid for his services unless he is a registered chemist or is the holder of a certificate from the superintendent of the dairy department of the New Hampshire College of Agriculture and the Mechanic Arts showing the said holder to be qualified to perform such work.

SECT. 2. The selectmen of towns may annually appoint one or more persons to be inspectors of milk, skim-milk, and cream, under the same provisions and conditions as agents are appointed by boards of health.

SECT. 3. The boards of health of cities and the selectmen of towns may grant to any person who applies therefor and pays the sum of two dollars a license to sell milk, skim-milk, and

Boards of
health of
cities to have
charge of
inspection.

Selectmen
may appoint
inspectors.

Licenses to
sell milk.

cream within their city or town, until the first day of June next following, and may renew such license annually in the month of May upon application and the payment of a like fee, providing said applicant will satisfy said boards of health or selectmen that he understands the care and handling of said product, and files the name and address of all his producers, and gives reasonable assurance that the cows from which the milk is taken are healthy, and are properly fed and cared for. The license and its renewal shall state the name of the party to whom granted, his residence, place of business, the names of all persons employed by him in carrying on the business, the number of carriages or other vehicles used, the name of the town for which it is granted, and the number of the license. It shall not be transferable, and may be revoked at any time for cause. The person to whom any license is granted shall cause his name, place of business, and the number of his license to be legibly placed on the outer side of all carriages and vehicles used in the business, and in the case of a merchant selling, or offering for sale, in a store, booth, or market place, in a city or town in which said licenses are granted, said license and its renewals shall be posted in a conspicuous place in said merchant's place of business.

Selling with-
out license,
penalty.

SECT. 4. Whoever goes about in carriages or makes a business of selling milk, skim-milk, or cream in any such city or town, or offering for sale or having in possession with intent to sell milk, skim-milk, or cream, unless a license has first been obtained as provided in the preceding section, or whoever violates any of the provisions of the preceding sections, shall be fined not more than ten dollars for the first offense; and for any subsequent offense he shall be fined fifty dollars, or be imprisoned not more than sixty days, or both.

Storekeepers
to be licensed.

SECT. 5. Every person selling milk, skim-milk, or cream, or offering such for sale in a store, booth, or market place in a city or town in which licenses are granted, shall procure a license as provided in section 3. Any person so selling or offering for sale, who neglects to comply with this section, shall be punished as provided in section 4.

Right to take
samples.

SECT. 6. The boards of health of cities, and their agents, the selectmen of towns and the inspectors appointed by them, may enter places where milk, skim-milk, or cream are stored or kept for sale, and into and upon carriages used for the conveyance thereof, and may take such samples of milk, skim-milk, or cream as they may deem necessary, upon payment of the current price therefor, and may examine the milk, skim-milk, or cream there found, and, if requested, shall leave a sample of the same product, securely sealed, with the person from whom said sample was taken, and if they have reason to believe that any such milk, skim-milk, or cream is adulterated, they shall cause specimens thereof to be analyzed or otherwise satisfactorily tested, and shall make a record of the result of the analysis or test.

Record of
licenses.

SECT. 7. They shall make a record of all licenses granted and renewed by them, which, together with all registries made

with them, shall be open to public inspection; and shall pay to the treasurer of their city or town all fees received, within thirty days after receipt.

SECT. 8. No dealer in milk, and no servant or agent of a dealer, shall sell, exchange, deliver, or have in his custody or possession with intent to sell, exchange, or deliver, milk from which the cream or any part thereof has been removed, unless in a conspicuous place above the center upon the outside of every vessel, can, or package from or in which such milk is sold, the words "skimmed milk" are distinctly marked in letters not less than one inch in length. Whoever violates the provisions of this section shall be punished by the penalties provided in section 17 of this chapter. Sale of skim-milk regulated.

SECT. 9. A record shall be made and kept by said boards of health and selectmen of each and every conviction in their respective cities and towns of any violation of the provisions of this chapter. Record of convictions.

SECT. 10. Any board of health, or any agent thereof, or selectman, or inspector appointed under the provisions of this chapter, who willfully connives at or assists in a violation of the provisions of this chapter, shall be fined not more than three hundred dollars, or be imprisoned not more than sixty days, or both. Connivance at violation, penalty.

SECT. 11. The preceding sections shall be in force only in such towns and cities as now have inspectors of milk, and those which may hereafter adopt the same, but nothing in this act shall be construed as affecting any one who may at the time of the passage of this act be a regularly elected inspector of milk in any city in this state, so as to cut short his present term of office, or vary his salary. Act in force, where.

SECT. 2. Further amend said chapter by striking out sections 17 and 18 and substituting therefor the following:

SECT. 17. If any persons shall adulterate milk, skim-milk, or cream with water or otherwise to be sold, or shall sell or offer for sale, or have in possession with intent to sell, any adulterated or unwholesome milk, skim-milk, or cream, containing any coloring matter or preservative, or any milk produced from sick or diseased cows, or cows fed upon the refuse of breweries or distilleries, or any other substance which may be deleterious to the quality of milk, skim-milk, or cream, or shall sell, or offer for sale, or have in possession with intent to sell as pure milk, any milk from which the cream or a part thereof has been removed, he shall be fined not more than two hundred dollars, or imprisoned not more than sixty days, or both. And it shall be the duty of the boards of health and milk inspectors to file the necessary information with the chief of police of the city or town, or the county solicitor of the county in which such city or town may be situated, and it shall be the duty of such chief of police and county solicitor to prosecute offenders under this act to final judgment and sentence. Sale of impure milk, penalty.

SECT. 18. In all proceedings under this chapter, if the milk is shown, upon analysis, to contain less than thirteen per cent of Milk deemed to be adulterated, when.

milk solids, or to contain less than nine and one half per cent of milk solids exclusive of fat, or to contain less than three and one half per cent of fat, it shall be considered evidence of adulteration except during the months of April, May, June, July, August, and September, when milk containing less than twelve per cent of milk solids, or less than three per cent of fat, shall be considered evidence of adulteration, or if, in the case of skim-milk, it shall contain more than ninety-one per cent of water and less than nine per cent of milk solids exclusive of fat, it shall be considered evidence of adulteration.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect July 1, 1901.

[Approved March 22, 1901.]

Repealing
clause; act
takes effect
July 1, 1901.

CHAPTER 108.

AN ACT TO PROHIBIT THE KILLING OF PHEASANT.

SECTION 1. Killing of pheasant prohibited ; penalty.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. If any person shall, between the date of the passage of this act and the fifteenth day of September, A. D. (1905) nineteen hundred and five, take or destroy any wild pheasant, or shall molest, or remove from the nest, any of the eggs of said birds, he shall be fined ten dollars, or be imprisoned not exceeding sixty days, or both, for each offense.

[Approved March 22, 1901.]

Killing of
pheasant
prohibited;
penalty.

CHAPTER 109.

AN ACT IN AMENDMENT OF CHAPTER 199 OF THE PUBLIC STATUTES, RELATING TO BONDS TO THE JUDGE OF PROBATE AND SUITS THEREON.

SECTION 1. Probate bonds by authorized surety companies.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 1 of chapter 199 of the Public Statutes, by inserting after the word "state" in the fourth line of said section, the following: or authorized by the insurance commissioner to transact business therein, so that said section, as amended, will read as follows:

Probate
bonds by
surety
companies.

SECTION 1. All bonds given to a judge of probate shall be made "to the judge of probate for the county of ———," without naming the incumbent of the office. Any corporation duly established by the laws of this state, or authorized by the insurance commissioner to transact business therein, and authorized thereto by its charter, may be accepted as sufficient surety upon the bond of an executor, administrator, guardian, or trustee, by the judge of probate if he is satisfied with the ability of the corporation as such surety.

[Approved March 22, 1901.]

CHAPTER 110.

AN ACT IN AMENDMENT OF SECTION 14, CHAPTER 284 OF THE PUBLIC STATUTES, RELATIVE TO WHO MAY BE COMMITTED TO THE INDUSTRIAL SCHOOL.

SECTION 1. Minor under fourteen years may be sent to industrial school in default of bail.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend said section 14 by adding thereto the following paragraph:

When a minor under the age of fourteen years shall be ordered by a police court or justice of the peace to recognize and furnish bail for his or her appearance to the supreme court, and is unable to procure such bail the court or justice may, in his discretion, order that such minor be committed to the industrial school instead of the county jail, to await the term of court to which he may be ordered, and *mittimus* may issue accordingly, and the board of such minor shall be chargeable to the county from which he was sent.

Committal to industrial school in default of bail.

[Approved March 22, 1901.]

CHAPTER 111.

AN ACT IN AMENDMENT OF SECTION 26 OF CHAPTER 158 OF THE
PUBLIC STATUTES, RELATING TO RAILROADS.

SECTION

1. Railroad proprietors may take land
for the diversion of streams.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

Railroad
proprietors
may take
land for
diversion of
streams.

SECTION 1. Section 26 of chapter 158 of the Public Statutes, in relation to railroads, is hereby amended by inserting after the word "water" in the fifth line, the words, and for the purpose of changing, or diverting, the course of streams, where necessary, for the purpose of properly constructing, maintaining, or protecting their railroad, so that said section, as amended, shall read as follows :

SECT. 26. The proprietors of a railroad may take and hold such land as may be necessary for yards, side-tracks, woodsheds, repair shops, turntables, gravel pits, engine, car, and freight houses, and depots, and for making provisions to supply their buildings and engines with water, and for the purpose of changing or diverting the course of streams, where necessary, for the purpose of properly constructing, maintaining, or protecting their railroad, by filing a location thereof as provided for filing the location of a railroad, and by giving the copy of such location to the owner of the land, if known and resident in the state, fourteen days at least before application shall be made for an appraisal of the damages, and if such owner is unknown, or does not reside in the state, by publishing such copy in some newspaper published in the county in which the land is situated.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 112.

AN ACT TO ESTABLISH EVENING SCHOOLS IN CITIES AND TOWNS OF
MORE THAN FIVE THOUSAND INHABITANTS.

SECTION

1. Evening schools to be established
upon petition.
2. To be under superintendence of
school board.

SECTION

3. No exemption from existing law as
to scholars.
4. Takes effect September, 1901.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

Evening
schools to be
established
upon petition.

SECTION 1. Upon petition of five per cent of the legal voters of any city or town having more than five thousand inhabitants,

according to the latest United States census, said city or town shall establish and maintain, in addition to the schools required by law to be maintained therein, evening schools for the instruction of persons over fourteen years of age in such branches of learning and art as the school board shall deem expedient.

SECT. 2. The school board of such cities and towns shall have the same superintendence over such evening schools as they have over other schools, and may determine the length of term or terms in each year and the hours of the evening during which such schools shall be kept, and may make such regulations as to attendance at such schools as they may deem expedient.

To be under
superin-
tendence of
school board.

SECT. 3. Nothing contained in this act shall exempt any person from the requirements of chapter 93 of the Public Statutes.

No exemp-
tion from
existing law.

SECT. 4. This act shall take effect September, 1901, at the beginning of the school year of 1901 and 1902.

Takes effect
September,
1901.

[Approved March 22, 1901.]

CHAPTER 113.

AN ACT IN AMENDMENT AND IN ADDITION TO CHAPTER 195 OF THE PUBLIC STATUTES, ENTITLED "THE RIGHTS OF HUSBAND OR WIFE, SURVIVING, IN THE ESTATE OF THE DECEASED HUSBAND OR WIFE."

SECTION

1. Share of widow where personal estate does not exceed three thousand dollars.
2. Share of widow where real estate does not exceed three thousand dollars.
3. Husband's share where personal estate does not exceed three thousand dollars.

SECTION

4. Husband's share where real estate does not exceed three thousand dollars.
5. Repealing clause.
6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 10 of chapter 195 of the Public Statutes is hereby amended by adding after the word "him" in clause numbered "II" of said section the following words: *Provided, however,* that if such remaining portion does not exceed in value the sum of fifteen hundred dollars, and if he dies intestate, then she shall be entitled to the whole thereof; and in case the value thereof exceeds the sum of fifteen hundred dollars, but does not exceed the sum of three thousand dollars, she shall be entitled to the sum of fifteen hundred dollars. So that said section when amended shall read as follows:

Share of
widow where
personal
estate does
not exceed
three
thousand
dollars.

SECT. 10. The widow of a person deceased, testate or intestate, by waiving the provisions of his will in her favor, if any, shall be entitled, in addition to her dower and homestead rights, as her distributive share, to the following portion of his personal

estate, remaining after the payment of debts and expenses of administration.

I. One third part thereof, if he leaves issue surviving him.

II. One half thereof, if he leaves no issue surviving him. *Provided, however,* that if such remaining portion does not exceed in value the sum of fifteen hundred dollars, and if he dies intestate, then she shall be entitled to the whole thereof; and in case the value thereof exceeds the sum of fifteen hundred dollars, but does not exceed the sum of three thousand dollars, she shall be entitled to the sum of fifteen hundred dollars.

Share of widow where real estate does not exceed three thousand dollars.

SECT. 2. Section 11 of said chapter is hereby amended by adding after the word "him" in the clause numbered "II" of said section the following words: *Provided, however,* that if the value of said remaining portion shall not exceed the sum of fifteen hundred dollars she shall be entitled to the whole thereof; but if such remaining portion shall exceed in value the sum of fifteen hundred dollars, but does not exceed the sum of three thousand dollars, she shall be entitled to the sum of fifteen hundred dollars of the value thereof, and the same shall be assigned to her by the probate court in the same manner as dower is now assigned. So that said section when amended shall read as follows:

SECT. 11. The widow of a person deceased, testate or intestate, by waiving the provisions of his will in her favor, if any, and by releasing her right of dower and her homestead right, shall be entitled instead thereof, in fee, to the following portion of all the real estate of which he died seized, after the payment of debts and expenses of administration:

I. One third part thereof, if he leaves issue surviving him.

II. One half thereof, if he leaves no issue whatever surviving him. *Provided, however,* that if the value of said remaining portion shall not exceed the sum of fifteen hundred dollars she shall be entitled to the whole thereof; but if such remaining portion shall exceed in value the sum of fifteen hundred dollars, but does not exceed the sum of three thousand dollars, she shall be entitled to the sum of fifteen hundred dollars of the value thereof, and the same shall be assigned to her by the probate court in the same manner as dower is now assigned.

Husband's share where personal estate does not exceed three thousand dollars.

SECT. 3. Section 12 of said chapter is hereby amended by adding after the word "her" in clause numbered "II" of said section the following words: *Provided, however,* that if such remaining portion does not exceed in value the sum of fifteen hundred dollars, then he shall be entitled to the whole thereof; and in case the value thereof exceeds the sum of fifteen hundred dollars, but does not exceed the sum of three thousand dollars, he shall be entitled to the sum of fifteen hundred dollars. So that said section when amended shall read as follows:

SECT. 12. The husband of a person deceased, testate or intestate, by waiving the provisions of her will in his favor, if any, shall be entitled in addition to his estate by the curtesy and

homestead right, if any, as his distributive share, to the following portion of her personal estate remaining after the payment of debts and expenses of administration :

I. One third part thereof, if she leaves issue surviving her.

II. One half thereof, if she leaves no issue surviving her. *Provided, however,* that if such remaining portion does not exceed in value the sum of fifteen hundred dollars, then he shall be entitled to the whole thereof; and in case the value thereof exceeds the sum of fifteen hundred dollars, but does not exceed the sum of three thousand dollars, he shall be entitled to the sum of fifteen hundred dollars.

SECT. 4. Section 13 of said chapter is hereby amended by adding after the word "her" in clause numbered "III" of said section the following words: *Provided, however,* that if such remaining portion does not exceed in value the sum of fifteen hundred dollars, then he shall be entitled to the whole thereof; but if such remaining portion shall exceed in value the sum of fifteen hundred dollars, but does not exceed the sum of three thousand dollars, he shall be entitled to the sum of fifteen hundred dollars of the value thereof, and the same shall be assigned to him by the probate court in the same manner as dower is now assigned to a widow. So that said section when amended shall read as follows :

Husband's
share where
real estate
does not
exceed three
thousand
dollars.

SECT. 13. The husband of a person deceased, testate or intestate, by waiving the provisions of her will in his favor, if any, and by releasing his estate by the curtesy and his homestead right, if any, shall be entitled instead thereof to the following portion of all the real estate of which she died seized, after the payment of debts and expenses of administration :

I. One third part thereof, to hold in fee, if she leaves issue by him surviving her.

II. One third part thereof, to hold during life, if she leaves issue surviving her, but not by him, and if he has no estate by the curtesy in her real estate.

III. One half thereof, to hold in fee, if she leaves no issue whatever surviving her. *Provided, however,* that if such remaining portion does not exceed in value the sum of fifteen hundred dollars, then he shall be entitled to the whole thereof; but if such remaining portion shall exceed in value the sum of fifteen hundred dollars, but does not exceed the sum of three thousand dollars, he shall be entitled to the sum of fifteen hundred dollars of the value thereof, and the same shall be assigned to him by the probate court in the same manner as dower is now assigned to a widow.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing
clause.

SECT. 6. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 22, 1901.]

CHAPTER 114.

AN ACT TO REGULATE AND LIMIT THE INVESTMENTS OF SAVINGS BANKS.

SECTION

1. Investments of savings banks regulated.
2. May hold real estate acquired by foreclosure.
3. Call deposits, where made.

SECTION

4. Special deposit or guaranty fund.
5. Loss from violation, liability of officer or trustee.
6. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Investments
of savings
banks
regulated.

SECTION 1. On and after the passage of this act, savings banks and savings departments of banking and trust companies shall make investment of their funds in the following classes of securities only:

(1) In notes secured by first mortgage of real estate situated in New Hampshire; but not over seventy per cent of the value of the property covered shall be so loaned, and not exceeding seventy per cent of the deposits shall be so invested.

(2) In notes secured by first mortgage of real estate situated outside of New Hampshire which is at the time improved, occupied, and productive; but not over fifty per cent of the value of the property covered shall be so loaned, and not exceeding twenty-five per cent of the deposits shall be so invested.

(3) In notes secured by collateral in which the bank is at liberty to invest of a value at least ten per cent in excess of the face of the note. The amount of any one class of securities so taken as collateral, added to that which the bank may own at the time, shall not exceed the total limit of that class of security; but not exceeding twenty-five per cent of the deposits shall be so invested.

(4) In notes secured by collateral securities which are dealt in on the stock exchanges of Boston and New York, the stock exchange price of which shall at all times be at least twenty per cent in excess of the face of the note, while held by the bank; but not exceeding twenty-five per cent of the deposits shall be so invested.

(5) In notes of individuals or corporations with two or more signers or one or more indorsers; but not exceeding five per cent of the deposits shall be loaned any one person or corporation in this class of security, and not exceeding twenty-five per cent of the deposits shall be so invested.

(6) In the public funds of the United States, or those for which the faith of the United States is pledged to provide for the payment of the interest and principal.

(7) In the bonds and notes of this state, or of any county, city, town, precinct, or district of this state.

(8) In the authorized bonds or notes of any state or territory of the United States; and in the bonds or notes of any city of the states of Maine, Vermont, Massachusetts, Rhode Island, Connecticut, or New York, whose net indebtedness does not exceed five per cent of the last preceding valuation of the property therein for taxation, or of any county or town in said states whose net indebtedness does not exceed three per cent of such valuation.

(9) In the authorized bonds of any county, city, town, school district, or other municipal corporation of any other of the United States or territories whose net indebtedness at the time of such investment does not exceed five per cent of the last preceding valuation of the property therein for taxation; and in the authorized bonds of any city of one hundred thousand inhabitants of any of said states whose net indebtedness does not exceed seven per cent of the last preceding valuation of the property therein for taxation. The term "net indebtedness" shall be construed to denote the indebtedness of any city, town, or other municipal corporation, omitting the debt created for supplying the inhabitants with water and deducting the amount of any sinking fund available for the payment of the municipal indebtedness. *Provided, however,* that such bonds shall not have been issued in aid of railroads or for special assessment purposes. *Provided, also,* that the bonds of any county, city, or town of less than ten thousand inhabitants, or of any school district or other municipal corporation of less than two thousand inhabitants, in any state or territory other than those named in paragraph 8 of section 1 of this act, shall not be authorized investments. *Provided, further,* that such bonds are issued by municipalities that are permitted by law to levy taxes sufficient to pay the interest and to provide sinking funds for their debt; otherwise, such bonds shall not be authorized investments. And *provided, further,* that the bonds of any such county, city, town, school district, or other municipal corporation, of any state or territory, except in the states named in paragraph 8 of section 1 of this act, which does not have a constitutional provision limiting the indebtedness of counties, cities, towns, school districts, or other municipal corporations therein shall not be legal investments. But not exceeding fifty per cent of the deposits shall be so invested.

(10) In the bonds or notes of any railroad company, except street railways, incorporated under the laws of this state, whose road is located wholly or in part in the same; but not exceeding twenty-five per cent of the deposits shall be so invested.

(11) In the bonds of any railroad company, except street railways, incorporated under the authority of any of the New England states, whose road is located wholly or in part in the same, and which is in possession and operating its own road, and has earned and paid regular dividends for the two years next preceding such investment; or in the bonds guaranteed or assumed by such railroad company; but not exceeding twenty-five per cent of the deposits shall be so invested.

(12) In the bonds of any railroad company, except street railways, incorporated under the authority of any of the United States or territories, which is in possession of and operating its own road and has earned and paid regular dividends of not less than four per cent per annum on its capital stock for the three years next preceding such investment; *provided*, such capital stock on which it earns and pays dividends equals in amount one third of the entire bonded indebtedness of said road; or in the bonds guaranteed or assumed by such railroad; but not exceeding twenty-five per cent of the deposits shall be so invested.

(13) In the first mortgage bonds of corporations of this state except street railways located and doing business therein whose net indebtedness at the time of such investment does not exceed its capital stock actually paid in and remaining unimpaired; but not exceeding ten per cent of the deposits shall be so invested.

(14) In the bonds of street railway corporations incorporated under the laws of this state and located wholly or in part in the same; and in the bonds of street railway corporations located wholly or in part in cities of thirty thousand inhabitants or more in any of the other New England states; and in the bonds of street railway corporations located wholly or in part in cities of fifty thousand inhabitants or more in any of the United States, when the net indebtedness of such street railway corporations does not exceed the capital stock actually paid in and remaining unimpaired at the time of such investment, and that has earned and paid regular dividends of not less than four per cent per annum on its capital stock for five years next preceding such investment; but not exceeding ten per cent of the deposits shall be so invested.

(15) In the bonds of telephone, telegraph, or express companies doing business in the United States or territories; *provided*, the total indebtedness of such company does not exceed its capital actually paid in and remaining unimpaired, and *provided*, such company has earned and paid regular dividends of at least four per cent per annum upon its capital stock of shares for five years previous to such investment; but not exceeding ten per cent of the deposits shall be so invested.

(16) In the capital stock of any banking or trust company incorporated under the laws of this state and doing business therein; but the amount of such stock held by any savings bank as an investment and as collateral for loans shall not exceed one tenth of the total capital stock of such banking or trust company, and not exceeding ten per cent of the deposits shall be so invested.

(17) In the stock of any national bank or trust company in the New England states and in the state of New York; but the amount of such stock held by any savings bank as an investment and as collateral for loans shall not exceed one tenth of the total capital stock of such national bank or trust company, and not exceeding ten per cent of the deposits shall be so invested.

(18) In the stock of any railroad corporation, exclusive of street railways, located in any part of the United States or territories,

that has earned and paid regular dividends of not less than four per cent per annum on its capital stock for five years next preceding such investment; *provided*, such capital stock on which it pays dividends equals in amount one third of the entire bonded indebtedness of said corporation; or in the stock of any other railroad corporation in the New England states whose railroad and railroad property are leased to such railroad upon an annual rental of not less than four per cent per annum upon the capital stock of the leased railroad; *provided*, said leased railroad shall have earned dividends of not less than three per cent upon its capital stock for a period of three years immediately preceding said lease; but not exceeding twenty-five per cent of the deposits shall be so invested.

(19) In the stock of any manufacturing company in the New England states that has paid regular dividends on its capital stock for five years previous to such investment and whose net indebtedness does not exceed the amount of its capital stock fully paid in; but not exceeding ten per cent of the deposits shall be so invested.

(20) In the stock of any parlor car or sleeping car company incorporated and doing business in the United States and whose cars are in actual use upon any railroad whose stock is a legal investment for New Hampshire savings banks, and that has earned and paid regular dividends of not less than four per cent per annum on its capital stock for five years next preceding such investment; but not exceeding five per cent of the deposits shall be so invested.

(21) In land and buildings suitable and actually used by it in part for its banking room, the total cost of which shall not exceed ten per cent of its deposits.

SECT. 2. Any savings bank may hold and lease real estate acquired by foreclosure of mortgages owned by the bank; but all taxes, foreclosure expenses, and cost of maintenance shall be paid out of the income of the bank. May hold real estate acquired by foreclosure.

SECT. 3. Deposits of cash on call, or subject to check, shall be made in some authorized banking or trust company incorporated under the laws of this state or Massachusetts, or in some national bank located in the New England states, or in the cities of New York or Philadelphia. Call deposits, where made.

SECT. 4. The special deposits or guaranty fund of a guaranty savings bank shall not be included in the amount of deposits on which the percentage of any investment is reckoned. Special deposit or guaranty fund.

SECT. 5. If any officer or trustee of any savings bank or savings department of a banking and trust company shall knowingly and willfully violate any of the provisions of law regulating and limiting investments of savings banks he shall, in addition to the penalties already prescribed, become personally liable for all loss which may occur to the bank by reason of such illegal investment; and it shall be the duty of the bank commissioners to sue for and recover such loss in an action of debt for the benefit of such bank. Loss from violation; liability.

Repealing
clause; act
takes effect
on passage.

SECT. 6. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage.

[Approved March 22, 1901.]

CHAPTER 115.

AN ACT ESTABLISHING THE BOUNDARY LINE BETWEEN THE STATE OF NEW HAMPSHIRE AND THE COMMONWEALTH OF MASSACHUSETTS.

SECTION

- 1. Boundary line between New Hampshire and Massachusetts established.

SECTION

- 2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Boundary
line between
New Hamp-
shire and
Massachu-
setts
established.

SECTION 1. The boundary line between the Commonwealth of Massachusetts and the State of New Hampshire shall be and hereby is fixed as follows, to wit: Beginning at the southwest corner of the State of New Hampshire, at the center of a copper bolt in a granite monument set in the shore on the western bank of the Connecticut river near South Vernon railroad station, and distant south, eighty-seven degrees forty-six minutes forty-five seconds east, five hundred and eighty-two feet from a large polished granite monument standing on the western bank of the river above high-water mark; thence south, eighty-seven degrees twenty-three minutes thirty seconds east, three thousand three hundred and fifty-six feet to a granite monument standing on the east side of the Doolittle road; thence south, eighty-seven degrees twenty minutes east, nine thousand one hundred and twenty-one and five tenths feet to a granite monument at the corner of Northfield and Warwick, Massachusetts; thence south, eighty-seven degrees forty minutes thirty seconds east, twenty-three thousand and ninety feet to a granite monument at the corner of Winchester and Richmond, New Hampshire; thence south, eighty-seven degrees fifty-two minutes thirty seconds east, eleven thousand six hundred and eleven and five tenths feet to a granite monument at the corner of Warwick and Royalston, Massachusetts; thence south, eighty-eight degrees eight minutes east, twenty-one thousand three hundred and fifty feet to a granite monument at the corner of Richmond and Fitzwilliam, New Hampshire; thence south, eighty-seven degrees fifty-five minutes thirty seconds east, twenty-four thousand nine hundred and seventeen feet to a Varnum monument, recut, at the corner of Royalston and Winchendon, Massachusetts; thence south, eighty-seven degrees fifty-nine minutes east, eight thousand seven hundred and thirteen feet to a granite monument at the corner of Rindge and Fitzwilliam, New Hampshire; thence south, eighty-seven degrees thirty minutes east, twenty-six thou-

sand one hundred and seventy-five feet to the corner of Winchendon and Ashburnham, Massachusetts; thence south, eighty-eight degrees twenty-five minutes thirty seconds east, fourteen thousand one hundred and forty-eight feet to a granite monument at the corner of Rindge and New Ipswich, New Hampshire; thence south, eighty-seven degrees forty-nine minutes thirty seconds east, eight thousand one hundred feet to a granite monument at the corner of Ashburnham and Ashby, Massachusetts; thence south, eighty-eight degrees six minutes east, twenty thousand one hundred and thirty-seven feet to a granite monument standing at the west side of the Whitney road; thence south, eighty-seven degrees fifty-six minutes thirty-two seconds east, four thousand nine hundred and ninety-two feet to a granite monument at the corner of New Ipswich and Mason, New Hampshire; thence south, eighty-seven degrees fifty-eight minutes twenty-two seconds east, eight thousand eight hundred and twenty-nine feet to a granite monument at the corner of Ashby and Townsend, Massachusetts; thence south, eighty-seven degrees thirty-seven minutes forty-eight seconds east, nineteen thousand one hundred and ninety-six feet to a granite monument at the corner of Mason and Brookline, New Hampshire; thence south, eighty-eight degrees ten minutes fifty-three seconds east, thirteen thousand two hundred and eighty-two feet to a granite monument at the corner of Townsend and Pepperell, Massachusetts; thence south, eighty-eight degrees fifty-three minutes east, five thousand seven hundred and twenty-six and five tenths feet to a granite monument at the corner of Brookline and Hollis, New Hampshire; thence south, eighty-eight degrees six minutes fifty-five seconds east, twenty-three thousand five hundred and seventy-four and five tenths feet to a granite monument on the west bank of the Nashua river; thence south, eighty-seven degrees fifty-one minutes east, twenty-two thousand nine hundred and nine and five tenths feet across the Nashua river to a granite monument at the corner of Dunstable and Tyngsborough, Massachusetts; thence south, eighty-eight degrees thirteen minutes east, six thousand five hundred and sixty-two feet to a granite monument standing on the west bank of the Merrimack river on the site of the Bancroft pine; thence south, eighty-eight degrees eleven minutes thirty seconds east, twelve thousand four hundred and eighty-eight and five tenths feet to a granite monument at the corner of Pelham and Hudson, New Hampshire; thence south, eighty-eight degrees five minutes forty seconds east, seventeen thousand three hundred and sixty-seven and five tenths feet to the boundary pine monument, so called, standing between the towns of Pelham, New Hampshire, and Dracut, Massachusetts, in the pasture land owned by Zachariah Coburn, at a point where one George Mitchell, surveyor, marked a pitch pine tree, March twenty-one, seventeen hundred and forty-one, then supposed to be three miles due north of a place in the Merrimack river called Pawtucket Falls, now Lowell; thence north, eighty-nine degrees fifty-five minutes

fifteen seconds east, seven thousand three hundred and seventy-two feet to a granite monument called Leslie, standing between Pelham and Dracut, aforesaid; thence north, thirty-nine degrees forty minutes forty-five seconds east, six thousand six hundred and seventy-four and three tenths feet to a granite monument called Wilson, standing on the easterly side of the highway leading from Dracut to Pelham, on the land formerly of Clifton Wilson; thence north, twenty-eight degrees thirty-eight minutes east, six thousand one hundred and fourteen and seven tenths feet to a granite monument called Smith, on land owned by S. E. Young, between the towns of Dracut and Pelham; thence north, forty-two degrees twenty-four minutes ten seconds east, five thousand one hundred and fifty-seven feet to a granite monument called Dracut Corner on land of the Harris brothers, between Dracut and Methuen; thence north, forty-nine degrees thirty-nine minutes forty-five seconds east, three thousand four hundred and twenty and six tenths feet to a granite monument called Harris, standing in the Ordway pasture, at the corners of Pelham and Salem, New Hampshire; thence north, sixty-eight degrees twelve minutes fifteen seconds east, two thousand three hundred and fourteen and two tenths feet to a granite monument called Noyes, on land of F. B. Fellows, between Methuen, Massachusetts, and Salem, New Hampshire; thence north, eighty degrees fifty-four minutes thirty seconds east, three thousand seven hundred and one feet to a granite monument called Webster, on land owned by A. J. Webster, of Salem, New Hampshire; thence south, seventy-three degrees thirty-five minutes thirty seconds east, eleven thousand seven hundred and seventy-four feet to a granite monument called Strongwater, on land owned by S. C. Kimball, between the towns of Salem and Methuen; thence north, three degrees twenty-six minutes five seconds west, nineteen thousand five hundred and seventy-three and four tenths feet to a granite monument called Poor, on land of Samuel Poor, between the towns of Methuen and Salem; thence north, thirty-eight degrees fifty-seven minutes twenty seconds east, one thousand five hundred and ninety-three and seven tenths feet to a granite monument at the corners of Haverhill and Methuen, Massachusetts, on land of A. B. Noyes; thence north, thirty-eight degrees thirty-six minutes fifteen seconds east, six thousand seven hundred and eighty-two and three tenths feet to a granite monument called Captain's pond, at the corners of Salem and Atkinson, New Hampshire, on land owned by David Webster of Haverhill, Massachusetts; thence north, sixty-two degrees six minutes fifteen seconds east, five thousand six hundred and fifty-one feet to a granite monument called Proctor, on the westerly side of North Broadway, and by land of H. F. Proctor of Haverhill; thence north, sixty-four degrees thirty-four minutes fifteen seconds east, four thousand five hundred and twenty-five feet to a granite monument called Foot, between Haverhill and Atkinson, on land of S. P. Foot; thence south, seventy-three degrees twelve minutes east, nineteen thou-

sand one hundred and seventy feet to a granite monument called Lovers' lane, by land of Merrill O. Luce, between Haverhill, Massachusetts, and Plaistow, New Hampshire; thence north, fifteen degrees fifty minutes east, ten thousand two hundred and twenty-eight and eight tenths feet to a granite monument on Brandy Brow hill, at the common corner of Plaistow and Newton, New Hampshire, and Haverhill and Merrimac, Massachusetts; thence north, twenty-three degrees twenty-six minutes thirty seconds east, six thousand one hundred and fifteen and two tenths feet to a granite monument called Thompson, on land of Richard Peaslee, between Merrimac and Newton; thence north, forty-three degrees thirty minutes thirty seconds east, five thousand three hundred and forty-four and four tenths feet to a granite monument called Janes, by land of Col. Albert Janes, between Merrimac, Massachusetts, and Newton, New Hampshire; thence north, seventy-seven degrees forty minutes thirty seconds east, four thousand one hundred and four and eight tenths feet to a granite monument on the easterly side of the highway leading from Newton village to Merrimac, by land of Joseph Hoit, of Newton; thence north, seventy-eight degrees forty-six minutes thirty seconds east, five thousand one hundred and forty-five and three tenths feet to a granite monument called Farnsworth, near a mill pond on the easterly side of the highway leading from Newton to Amesbury; thence north, seventy-eight degrees fifty-six minutes thirty seconds east, eight thousand two hundred and ninety feet to a granite monument called Perley, on land owned by the heirs of Perley Eaton; thence north, sixty degrees fifty-two minutes thirty seconds east, five thousand five hundred and thirteen and eight tenths feet to a granite monument called Delaware, on the westerly side of the highway leading from South Hampton village, by land of Oliver F. C. F. Delaware; thence north, fifty-eight degrees eight minutes fifteen seconds east, six thousand one hundred and thirty-three and seven tenths feet to a granite monument called Randall, on land formerly of William Randall, between South Hampton and Amesbury; thence north, eighty-one degrees thirty-six minutes east, four thousand and fifty-three and five tenths feet to a granite monument called Evans, standing at the common corner of four towns, South Hampton and Seabrook, New Hampshire, and Amesbury and Salisbury, Massachusetts; thence north, eighty-nine degrees three minutes east, two thousand nine hundred and seventy-four and two tenths feet to a granite monument called Bagley, on the easterly side of the highway from Seabrook to Salisbury; thence south, seventy-three degrees twenty-one minutes thirty seconds east, five thousand and fourteen and six tenths feet to a granite monument called Morrill, standing just northerly of the highway from Seabrook to Salisbury; thence south, fifty-one degrees forty-six minutes thirty seconds east, twelve thousand nine hundred and thirty-two feet to a granite monument called Pike, between the towns of Salisbury and Seabrook; thence north sixty-four de-

grees forty-three minutes east, three thousand two hundred and sixty and two tenths feet to a granite monument called North dock, on land of George W. True; thence north, fifty-two degrees thirty seconds east, two thousand three hundred and eighty-nine and seven tenths feet to a granite monument called South dock, standing on the marsh and on the land now or formerly of Souther; thence north, sixty-six degrees fifteen minutes thirty seconds east, two thousand seven hundred and seventy-five feet to Bordens, Salisbury Marsh station, a copper bolt set in Major's rock and protected by a granite tablet; thence north, eighty-six degrees seven minutes thirty seconds east, eight hundred and seventy-six feet to the center of a granite monument on Salisbury beach; thence same course three miles from low-water mark to the limit of state jurisdiction, the location of said line being shown on two plans marked "Map of Massachusetts and New Hampshire Boundary Line, Eastern Section," and "Map of Massachusetts and New Hampshire Boundary Line, Western Section," which, together with a printed description of the line and the monuments marking it, were filed in the office of the secretary of state, January thirty, eighteen hundred and ninety-nine.

The stone monuments at the corners on the eastern section are of granite, sixteen inches square, eight and one half feet long and four and one half feet above the surface of the ground, marked "MASS." on the south side and "N. H." on the north side. The date eighteen hundred and ninety, name of the angle, and the initial letters of the names of the adjacent towns are also cut in the stone.

The stone monuments at the corners on the western section are similar, except that they are fourteen inches square, the date is eighteen hundred and ninety-four, and the name of the angle is omitted.

Boundary pine monument is eighteen inches square, nine feet long, dressed down five feet, all four sides polished, and marked on the south side with the letters "MASS.," the initial letter "D." for Dracut, date eighteen hundred and ninety, and the names of the Massachusetts commissioners and surveyors, also Massachusetts commissioners and surveyors of eighteen hundred and twenty-five. On the north side the letters "N. H.," initial letter "P." for Pelham, date eighteen hundred and ninety, and the names of the New Hampshire commissioners and surveyors, also New Hampshire commissioners and surveyor of eighteen hundred and twenty-five. On the east side the date seventeen hundred and forty-one, Mitchell's boundary pine, with latitude and longitude of the same, and a cut of a pitch pine tree. On the west side the date of the royal decree and the names of the surveyors who marked the line originally in seventeen hundred and forty-one,—George Mitchell and Richard Hazen.

Major's rock is marked by a granite tablet three feet square and one foot thick, firmly fastened to the rock and with a circu-

lar opening in the center, showing the copper bolt placed there by Borden in his survey as a point on the northern boundary of Massachusetts, and adopted by the commissioners. The top surface and sides of the tablet are polished and marked with the names of the commissioners of both states, and with the date eighteen hundred and ninety, and the latitude and longitude of the point.

The southwest corner of New Hampshire and southeast corner of Vermont are marked by a copper bolt in the apex of a granite block set upon a stone pier and sunk in the shore of the western bank of the Connecticut river, and its location designated by a large polished granite monument, five hundred and eighty-two feet distant on the western bank of the river above high-water mark, and marked on the north, south, and east sides with the names of the commissioners and surveyors of the three states. On the west side the distance and direction to and description of said corner is given, with the latitude and longitude of the same.

SECT. 2. This act shall take effect upon its passage, a similar act having been already passed in the year 1899, by the Commonwealth of Massachusetts, establishing the line in this act described. Takes effect
on passage.

[All bearings given in this description are from the true meridian.]

[Approved March 22, 1901.]

CHAPTER 116.

AN ACT IN AMENDMENT OF SECTION 9 OF CHAPTER 84 OF THE PUBLIC STATUTES, RELATING TO THE SUPPORT OF TOWN PAUPERS.

SECTION

1. Aid to dependent soldiers to be furnished in town of abode, when; penalty for refusal by officer.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 9 of chapter 84 of the Public Statutes by inserting after the word "Rebellion," in the fourth line of said section, the words, or in the Spanish or Philippine wars, so that said section as amended shall read as follows:

SECT. 9. Whenever any person, resident in this state, who enlisted in the quota of this state, and was reckoned and served as a soldier or sailor from New Hampshire in the army or navy of the United States, in the War of the Rebellion, or in the Spanish or Philippine wars, and who received an honorable discharge, not being under guardianship or legal restraint, shall become poor and unable to provide maintenance for himself and

Aid to dependent soldiers to be furnished in town of abode, when; penalty for refusal by officer.

dependent family, such person, his wife, widow, or minor children, or such of the children as are unable to maintain themselves, shall be supported at the public expense in the town or city of their abode, at their own home or such place, other than a town or county almshouse, as the overseers of the poor or the county commissioners shall deem right and proper, but no person shall receive aid under the provisions of this section unless he has resided in this state three years or more before making application for such aid; and no person shall, while receiving aid under the provisions of this section, use intoxicating liquors to an extent which will render him incapable of working at his usual occupation; and no person receiving aid under the provisions of this section shall sell any articles furnished him, nor exchange them for intoxicating liquors, nor share any such aid with any persons other than those above named as being entitled to the benefit of these provisions. Any person receiving aid under the provisions of this section, who receives a pension from the United States government, shall, while receiving such aid, apply the pension to the support of himself and dependent family, and shall, when requested, furnish to the overseers of the poor or the county commissioners satisfactory proof that such pension has been so applied. Any person applying for such aid shall, when requested, furnish to the county commissioners or the overseers of the poor the certificate of a reputable physician, resident in the county in which he lives, as to any incapacity on his part to perform manual labor. Neglect by any person applying for or receiving aid under the provisions of this section to comply with the foregoing provisions and conditions shall relieve the town or county liable for such person's support from the provisions of this section so far as such person is concerned, and such person may be supported at the town or county almshouse.

And any overseer of the poor, county commissioner, or other public official whose duty may include the disbursement of public money in aid of the poor, who shall decline or refuse to carry out the provisions of this section, shall be punished by a fine of fifty dollars, except when such official may reasonably consider that the compliance with said provisions would be a menace to the public health, safety, or peace.

SECT. 2. This act shall take effect upon its passage.

[Approved March 22, 1901.]

Takes effect
on passage.

CHAPTER 117.

JOINT RESOLUTION IN FAVOR OF CHARLES E. BUZZELL AND OTHERS.

Sundry appropriations.

Resolved by the Senate and House of Representatives in General Court convened:

That Charles E. Buzzell be allowed the sum of fifty-nine dollars and fifteen cents; Andy Holt be allowed the sum of twenty-six dollars and eighty cents; Van B. Glazier be allowed the sum of thirty-eight dollars and fifty cents; John Woodward be allowed the sum of forty dollars and thirty cents; Charles W. Torr be allowed the sum of twenty-nine dollars and fifty cents; C. D. Rowe be allowed the sum of twenty-nine dollars; James F. Estes be allowed the sum of seventeen dollars and sixty cents; Arthur G. Decatur be allowed the sum of twenty-five dollars; Charles C. Wright be allowed the sum of thirty-four dollars and forty cents; Charles T. Huntoon be allowed the sum of seventeen dollars and fifty cents; Lyman Rollins be allowed the sum of twelve dollars; Bent and Bush be allowed the sum of twenty-four dollars; and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved January 29, 1901.]

CHAPTER 118.

JOINT RESOLUTION IN RELATION TO DARTMOUTH COLLEGE AND ITS EXPENDITURES ON BEHALF OF NEW HAMPSHIRE STUDENTS.

Annual appropriation of \$15,000 for Dartmouth College.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of fifteen thousand dollars shall be appropriated and paid out of the state treasury to the trustees of Dartmouth College, on the warrant of the governor, on the first day of September each year, for a period of two years next after the passage of this resolution, for the use of said college in its general educational work.

[Approved February 13, 1901.]

CHAPTER 119.

JOINT RESOLUTION IN RELATION TO THE EXPENSE OF THE MILITARY PARADE AT PORTSMOUTH UPON THE OCCASION OF THE KEARSARGE-ALABAMA CELEBRATION, SEPTEMBER 19, 1900.

Expense of parade at Kearsarge-Alabama celebration.

Resolved by the Senate and House of Representatives in General Court convened:

Expense of
Kearsarge-
Alabama
parade.

That the state treasurer be and hereby is authorized to credit to the appropriation for the support of the New Hampshire National Guard for the current year, the sum of three thousand and fifty-two dollars and three cents, such sum having been drawn from the regular appropriation of the National Guard by direction of the governor and council to defray the expenses of the military parade at Portsmouth upon the occasion of the Kearsarge-Alabama celebration, September 19, 1900.

[Approved February 13, 1901.]

CHAPTER 120.

JOINT RESOLUTION IN FAVOR OF A COMMITTEE TO CONSIDER THE QUESTION OF A STATE SANITARIUM FOR CONSUMPTIVES.

State sanitarium for consumptives.

Resolved by the Senate and House of Representatives in General Court convened:

State sani-
tarium for
consump-
tives.

That the governor be and is hereby authorized and instructed to appoint a committee consisting of three or five members, one of whom shall be a member of the state board of health, to consider the question of a state sanitarium for consumptives; and who shall report to the next legislature the best location for, and probable cost of erection and maintenance of, such an institution, together with such recommendations as they deem proper; the report to be submitted to the legislature sometime during the first six days of the session; the committee to serve without pay, except for actual necessary expenses, which shall be paid from money in the treasury not otherwise appropriated, and the governor is hereby authorized to draw his warrant for the same.

[Approved February 13, 1901.]

CHAPTER 121.

JOINT RESOLUTION FOR THE PROTECTION OF PUBLIC RIGHTS IN NEW HAMPSHIRE.

Preamble ; attorney-general to defend certain suits.

WHEREAS, Proceedings have been begun by certain non-residents and foreign corporations to deprive the citizens of New Hampshire and the public generally of rights heretofore enjoyed, and particularly of access to and enjoyment in the public waters and lands of New Hampshire; and Preamble.

WHEREAS, It is the design of such non-residents and foreign corporations to monopolize such rights, and to exclude citizens of New Hampshire and the public generally from public waters and lands by seeking legislation and obtaining federal decisions to break down and impair the protection now afforded the public by existing statutes and judicial decisions within this state; and

WHEREAS, A suit in equity has actually been begun against citizens in this state residing at Northumberland, designed to obtain perpetual injunctions against them and all other citizens of this state and to exclude them from the right of fishing in the open season in the waters formerly known as North pond and now known as Christine lake in the town of Stark; therefore, be it

Resolved by the Senate and House of Representatives in General Court convened:

That the attorney-general be and hereby is authorized and directed to appear and defend in behalf of the people of the state such suits as are now pending or which may hereafter be brought in the federal courts, in which the rights of the citizens of New Hampshire in public waters and lands are sought to be restrained, limited, or abrogated; and to employ such assistance as he may deem necessary in said defense and in the preparation and recommendation of such additional legislation as may further protect said public rights; and the governor is hereby authorized to draw his warrant upon any money in the treasury, not otherwise appropriated, for the reasonable expenses incurred as aforesaid. Attorney-general to defend certain suits.

[Approved February 13, 1901.]

CHAPTER 122.

JOINT RESOLUTION FOR PORTRAIT OF HARRIET P. DAME.

\$250 for portrait of Harriet P. Dame.

Resolved by the Senate and House of Representatives in General Court convened:

Portrait of
Harriet P.
Dame.

First, that the secretary of state be and is hereby authorized to procure a suitable portrait of Harriet P. Dame in honor of her distinguished services in the War of the Rebellion, and that the portrait be placed in an appropriate position in the state house.

Second, that the sum of not exceeding two hundred and fifty dollars be and is hereby appropriated out of any money in the treasury not otherwise appropriated, and that the same be expended under the direction of the secretary of state for the purpose aforesaid.

[Approved February 13, 1901.]

CHAPTER 123.

JOINT RESOLUTION TO APPROPRIATE MONEY TO COMPLETE THE WORK OF INDEXING THE RECORDS IN THE OFFICE OF THE SECRETARY OF STATE.

\$1,000 annually appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

\$1,000
annually
appropriated.

That the sum of one thousand dollars annually, from the first day of June, A. D. one thousand nine hundred and one, to be expended under the direction of the governor and council, be and is hereby appropriated for completing the work of indexing the records in the office of the secretary of state, as provided in chapter 86, Session Laws of 1883.

[Approved February 13, 1901.]

CHAPTER 124.

JOINT RESOLUTION IN FAVOR OF THE NEW HAMPSHIRE SOLDIERS'
HOME.

\$20,000 for "Soldiers' Home Fund."

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of twenty thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the support and maintenance of the "New Hampshire Soldiers' Home" and the members thereof, from the first day of January, 1901, to the assembling of the legislature in 1903, in addition to such sums as the state may be entitled to receive from the general government in aid of the support of disabled soldiers and sailors during or for said period, and which the state treasurer is hereby authorized to receive and receipt for.

The sums so appropriated shall be known as the "Soldiers' Home Fund," and shall be subject to the order of the state board of managers, and be drawn upon orders signed by the secretary and countersigned by the governor, as provided in the act establishing said home.

[Approved February 14, 1901.]

CHAPTER 125.

JOINT RESOLUTION APPROPRIATING MONEY TO BE EXPENDED FOR THE
CORRECTION AND PRESERVATION OF THE INSCRIPTIONS ON THE
MONUMENTAL STONES OF THE FIFTH NEW HAMPSHIRE REGIMENT,
ON THE FIELD OF GETTYSBURG.

\$300 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of three hundred dollars be and the same is hereby appropriated for the purpose of procuring bronze tablets to be placed upon and fastened to the monument of the Fifth New Hampshire Regiment, now standing on the field of Gettysburg

[Approved February 20, 1901.]

CHAPTER 126.

JOINT RESOLUTION FOR AN APPROPRIATION TO PAY THE EXPENSE OF THE TRANSPORTATION OF THE BODY OF CAPTAIN W. A. SANBORN, LATE OF COMPANY K, FIRST REGIMENT OF NEW HAMPSHIRE VOLUNTEERS, WHO DIED AT CHICKAMAUGA, GEORGIA, AUGUST 25, 1898.

\$54.50 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

\$54.50
appropriated.

That the sum of fifty-four dollars and fifty cents be and the same is hereby appropriated for the purpose of paying the expense of transporting the body of Captain W. A. Sanborn, late of Company "K," First Regiment of New Hampshire Volunteers in the war with Spain, from Chickamauga, Georgia, where he died August twenty-fifth, 1898, to his home in Laconia, in this state, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved February 20, 1901.]

CHAPTER 127.

JOINT RESOLUTION TO PROVIDE FOR THE IMMEDIATE INDEXING OF THE VITAL STATISTICS NOW ON FILE IN THE OFFICE OF THE SECRETARY OF THE STATE BOARD OF HEALTH.

Indexing of vital statistics.

Resolved by the Senate and House of Representatives in General Court convened:

Indexing of
vital
statistics.

That the governor be and hereby is authorized and instructed to cause the vital statistics now on file in the office of the secretary of the state board of health to be immediately indexed, so that the information that they contain may be conveniently accessible to the public, and to draw his warrant for the payment of the expenses incurred in the carrying out of this resolution on any money in the treasury not otherwise appropriated.

[Approved February 20, 1901.]

CHAPTER 128.

JOINT RESOLUTION AUTHORIZING THE CREDIT TO THE NATIONAL GUARD APPROPRIATION OF CERTAIN FUNDS EXPENDED FROM THAT APPROPRIATION FOR THE EQUIPMENT OF THE FIRST REGIMENT NEW HAMPSHIRE VOLUNTEERS IN THE WAR WITH SPAIN.

Credit of \$2,660.42 to the National Guard appropriation.

Resolved by the Senate and House of Representatives in General Court convened:

That the state treasurer be and hereby is authorized to credit to the appropriation for the support of the New Hampshire National Guard for the current year the sum of twenty-six hundred and sixty dollars and forty-two cents, such sum having been drawn from the regular appropriation of the National Guard by direction of the governor and council to defray the expenses of the equipment of the First Regiment New Hampshire Volunteers in the war with Spain, the said amount having been refunded to the state by the United States, and the governor is hereby authorized to draw his warrant for the said sum out of any money in the treasury not otherwise appropriated.

[Approved February 20, 1901.]

CHAPTER 129.

JOINT RESOLUTION IN FAVOR OF THE GRANITE STATE DEAF MUTE MISSION.

\$150 annually appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of one hundred and fifty dollars annually be appropriated for the use of the Granite State Deaf Mute Mission during the coming two years, and the governor is hereby authorized to draw his warrant for the same from the money appropriated for the support and education of indigent deaf and dumb persons of this state, under chapter 86 of the Public Statutes, entitled "State aid to indigent deaf and dumb, blind, and feeble-minded persons."

[Approved February 20, 1901.]

CHAPTER 130.

JOINT RESOLUTION IN RELATION TO THE FLAG CASES CONTAINING
THE COLORS OF NEW HAMPSHIRE REGIMENTS IN THE CIVIL WAR
AND THE WAR WITH SPAIN.

\$1,000 appropriated.

*Resolved by the Senate and House of Representatives in General Court
convened:*

\$1,000
appropriated.

That a sum not exceeding one thousand dollars be and hereby is appropriated for the purpose of procuring metallic plates, having suitably engraved thereon a correct list of the engagements in which the several New Hampshire regiments in the War of the Rebellion participated, also a similar plate for the First New Hampshire Regiment in the war with Spain, the same to be attached to the flag cases recently erected, for the purpose of procuring metallic markers bearing the regimental numbers, to be attached to the staff of every flag and color preserved in these cases, and for the purpose of procuring a metallic railing to protect these cases from injury; said sum to be expended under the direction of the governor and council, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved February 20, 1901.]

CHAPTER 131.

JOINT RESOLUTION FOR AN APPROPRIATION FOR SCREENING LYME OR
POST POND, IN THE TOWN OF LYME.

\$75 appropriated.

*Resolved by the Senate and House of Representatives in General Court
convened:*

\$75
appropriated.

That the sum of seventy-five dollars be and hereby is appropriated for the purpose of constructing a fish screen at or near the outlet of Lyme or Post pond, in the town of Lyme, said screen to be constructed under the direction of the fish and game commissioners, and the governor is hereby authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

[Approved February 28, 1901.]

CHAPTER 132.

JOINT RESOLUTION IN FAVOR OF THE SUGAR LOAF ROAD, IN THE TOWN OF ALEXANDRIA, AND OTHER HIGHWAYS IN THE STATE.

Appropriations for sundry highways.

Resolved by the Senate and House of Representatives in General Court convened:

That the following sums be and are hereby appropriated for the construction and repair of the highways, as hereinafter specified, amounting to the sum of nine thousand one hundred dollars: Appropriations for sundry highways.

That the sum of fifty dollars be appropriated for each of the years 1901 and 1902 for the repair of the Sugar Loaf road, so called, on the westerly side of Newfound lake, in the town of Alexandria.

That the sum of two hundred dollars be appropriated for each of the years 1901 and 1902 for the repairs of the roads in the town of Albany.

That the sum of two hundred and fifty dollars be appropriated for the repairs of the road leading from the Willey House in Hart's Location to the west line of Bartlett, for each of the years 1901 and 1902.

That the sum of fifty dollars be appropriated for each of the years 1901 and 1902 for the repair of the North and South road, so called, in the town of Benton.

That the sum of one hundred and fifty dollars be appropriated for each of the years 1901 and 1902 for the repairs of the highway known as the Gale River road in the town of Bethlehem.

That the sum of one hundred seventy-five dollars be and is hereby appropriated for each of the years 1901 and 1902 for repair of Cherry Mountain road, so called, that lies in Carroll.

That the sum of three hundred dollars be and is hereby appropriated for each of the years 1901 and 1902 for repair of the road leading from the Crawford House to the Willey House in the towns of Carroll and Hart's Location.

That the sum of two hundred and fifty dollars be appropriated for each of the years 1901 and 1902 for the repair of highways in the town of Dixville.

That the sum of one hundred dollars be appropriated for each of the years 1901 and 1902 for the repair of the highway in the town of Dummer on the west side of the Androscoggin river, thence to the north line of Milan.

That the sum of one hundred dollars be appropriated for each of the years 1901 and 1902 for the repair of the highway on the west side of the Androscoggin river from the house of L. H. Grover, in Errol, to Dummer line.

That the sum of two hundred dollars be appropriated for the repair of the highway from Errol to Wentworth's Location, for each of the years 1901 and 1902.

That the sum of one hundred dollars be appropriated for repairing the Crotchet Mountain road, so called, in the town of Francestown, one half to be expended in 1901 and one half in 1902.

That the sum of two hundred fifty dollars be appropriated for each of the years 1901 and 1902 for the repairs of the road leading from the Chase farm to Echo lake, in the Franconia Notch.

That the sum of four hundred dollars be appropriated for each of the years 1901 and 1902 for the repairs of the road leading from the height of land in Franconia to the Flume House.

That the sum of one hundred fifty dollars be appropriated for the repairs of the existing highways around Stinson lake, in the towns of Rumney and Ellsworth.

That the sum of one hundred fifty dollars be appropriated for the years 1901 and 1902 for the repair of the Pinkham road, so called, and bridges thereon in Coös county leading from a point near the George Wood house, so called, in Randolph, to the northerly line of Martin's Location.

That the sum of three hundred dollars for each of the years 1901 and 1902 be and the same is hereby appropriated for the extension of the Lake Shore highway, leading from Ben Mere Inn to Lake View Hotel in the town of Sunapee, provided the town shall appropriate and expend an equal amount.

That the sum of two hundred dollars be appropriated for each of the years 1901 and 1902 for the repair of the highways in the town of Salem, known as the Londonderry Turnpike.

That the sum of four hundred dollars be and is hereby appropriated for repairing the Sandwich Notch road, that lies between the road leading from the house of Asahel Wallace to the Thornton town line, one half to be expended in 1901 and one half in 1902.

That the sum of two hundred dollars be and is hereby appropriated for the repair of the Miller Park Mountain road, in the towns of Temple and Peterborough, one half to be expended in 1901 and the remainder in 1902.

That the sum of one hundred and fifty dollars be appropriated for each of the years 1901 and 1902 for the repair of that portion of the Mountain road leading from North Woodstock to Breezy Point that lies in the town of Warren.

That the sum of seventy-five dollars be appropriated for the repair of the highway in Wentworth's Location, for each year 1901 and 1902.

That the sum of three hundred and fifty dollars be appropriated for the repairs of the highway leading from North Woodstock to the Flume House, for each of the years 1901 and 1902.

That the sum of five hundred dollars be and hereby is appropriated to construct the highway recently laid out to Forest lake, in the towns of Whitefield and Dalton.

That the sum of two hundred and fifty dollars be appropriated for each of the years 1901 and 1902 for the repair of the highway known as the Warren road, that lies in the town of Woodstock.

[Approved February 28, 1901.]

CHAPTER 133.

JOINT RESOLUTION PROVIDING FOR A SCREEN FOR THE OUTLET OF
STINSON LAKE.

\$400 appropriated.

*Resolved by the Senate and House of Representatives in General Court
convened:*

That the sum of four hundred dollars be appropriated for the ^{\$400} purpose of placing a screen upon the outlet of Stinson lake, in ^{appropriated.} the town of Rumney.

[Approved March 7, 1901.]

CHAPTER 134.

JOINT RESOLUTION IN FAVOR OF THE WIDOW OF THE LATE CHARLES
A. BARNEY OF DEERING.

Salary to be paid to widow.

*Resolved by the Senate and House of Representatives in General Court
convened:*

That the state treasurer be and hereby is authorized to pay to the widow of the late Charles A. Barney of Deering the full ^{Salary to be paid to widow.} salary and mileage due to him as a member of the House of Representatives.

[Approved March 7, 1901.]

CHAPTER 135.

JOINT RESOLUTION FOR AN APPROPRIATION FOR SCREENING CRYSTAL
LAKE IN ENFIELD.

\$200 appropriated.

*Resolved by the Senate and House of Representatives in General Court
convened:*

That the sum of two hundred dollars be and hereby is appro- ^{\$200} priated for the purpose of constructing a fish screen at or near ^{appropriated.} the outlet of Crystal lake, in Enfield; said screen to be constructed under the direction of the fish and game commissioners, and the governor is hereby authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

[Approved March 7, 1901.]

CHAPTER 136.

JOINT RESOLUTION IN FAVOR OF MAINTAINING BUOYS AND PLACING
LIGHTS ON SQUAM LAKE.

\$50 annually appropriated.

*Resolved by the Senate and House of Representatives in General Court
convened:*

\$50 annually
appropriated. That the sum of fifty dollars be and the same is hereby appro-
priated for each of the years 1901 and 1902 to place and repair
buoys and maintain lights on Squam lake.

[Approved March 7, 1901.]

CHAPTER 137.

JOINT RESOLUTION TO PROVIDE FOR PAINTING AND DECORATING
THE WALLS OF THE STATE LIBRARY BUILDING.

\$1,200 appropriated.

*Resolved by the Senate and House of Representatives in General Court
convened:*

\$1,200
appropriated. That the governor and the trustees of the state library as cus-
todians of the state library building are hereby authorized and
instructed to cause the walls in said building to be painted and
decorated in a proper manner, and the governor is hereby au-
thorized to draw his warrant for a sum not exceeding twelve
hundred dollars, to pay the expenses incurred in carrying into
effect this resolution, upon any money in the treasury not other-
wise appropriated.

[Approved March 7, 1901.]

CHAPTER 138.

JOINT RESOLUTION FOR AN APPROPRIATION FOR A FOOTBRIDGE FROM
THE SHORE OF LAKE WINNIPESAUKEE TO ENDICOTT ROCK.

\$1,200 appropriated.

*Resolved by the Senate and House of Representatives in General Court
convened:*

\$1,200
appropriated. That a sum not exceeding twelve hundred dollars be and the
same is hereby appropriated for the purpose of constructing a
steel footbridge from the shore of Lake Winnepesaukee to and
around Endicott Rock in the city of Laconia; said sum to be

expended under the direction of the governor and council, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved March 7, 1901.]

CHAPTER 139.

JOINT RESOLUTION FOR LIGHTING THE LIGHTHOUSE ON LOON ISLAND IN SUNAPEE LAKE, REPAIRING THE CABLE CONNECTED THEREWITH, PLACING AND MAINTAINING BUOYS ON SAID LAKE, AND FOR REMOVING OBSTRUCTIONS TO NAVIGATION IN SAID LAKE.

\$600 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of six hundred dollars be and the same is hereby ^{\$600} appropriated for lighting the lighthouse on Loon island in Sunapee lake by electricity, for repairing the cable connected therewith, for placing and maintaining buoys on said lake, and for removing obstructions therein near the lighthouse and at Burkehaven, and at other places; said sum to be expended by an agent appointed by the governor with the advice of the council, and the governor is hereby authorized to draw his warrant for the same out of any money not otherwise appropriated.

[Approved March 7, 1901.]

CHAPTER 140.

JOINT RESOLUTION TO EXTEND THE PROVISIONS OF A JOINT RESOLUTION APPROVED MARCH 11, 1899, "TO PROVIDE STATE PAY FOR SOLDIERS WHO SERVED IN THE FIRST REGIMENT OF NEW HAMPSHIRE VOLUNTEERS DURING THE WAR WITH SPAIN."

Resolution as to soldiers in war with Spain extended.

Resolved by the Senate and House of Representatives in General Court convened:

That the joint resolution approved March 11, 1899, "To provide state pay for soldiers who served in the First Regiment of New Hampshire Volunteers during the war with Spain," be and it is hereby extended, in the cases of those members of the First New Hampshire Volunteers who were transferred from said regiment to the United States hospital corps, so that they shall be paid the sum of seven dollars a month for their term of service in said war with Spain whether serving in said First Regi-

Resolution as to soldiers in war with Spain extended.

ment or hospital corps; *provided*, that in no case shall pay be given for service rendered subsequent to the date of the discharge of said First Regiment.

And the provisions of said joint resolution shall also be extended to those persons enlisted in the United States Navy from New Hampshire during the war with Spain who obtained an honorable discharge subsequent to the date of the discharge of said First New Hampshire Regiment, but in no case shall pay be given for service rendered subsequent to the date of the discharge of said First Regiment.

[Approved March 7, 1901.]

CHAPTER 141.

JOINT RESOLUTION PROVIDING FOR SCREENING THE OUTLET OF LAKE WINNESQUAM AT EAST TILTON.

\$1,000 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

\$1,000
appropriated.

That the sum of one thousand dollars be and hereby is appropriated for the purpose of constructing a suitable screen to prevent the escape of fish at the outlet of Lake Winnesquam, in East Tilton; said screen to be constructed under the direction of the fish and game commissioners, and the governor is hereby authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

[Approved March 7, 1901.]

CHAPTER 142.

JOINT RESOLUTION APPROPRIATING MONEY TO PAY FOR CHAIRS AND PLACING THE SAME IN REPRESENTATIVES' HALL.

\$2,854 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

\$2,854
appropriated.

That the sum of twenty-eight hundred and fifty-four dollars be and hereby is appropriated for the purpose of paying for the chairs in Representatives' Hall and placing the same in position; and the governor is hereby authorized to draw warrants for the same out of any funds in the treasury not otherwise appropriated.

[Approved March 7, 1901.]

CHAPTER 143.

JOINT RESOLUTION IN FAVOR OF JOHN H. RIEDELL OF MANCHESTER,
N. H.

\$41.60 to be paid.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of forty-one dollars and sixty cents be paid to John H. Riedell of Manchester, N. H., out of any money in the treasury not otherwise appropriated, to reimburse him for expenditures on account of volumes 68 and 69 of the New Hampshire Reports; and the governor is hereby authorized to draw his warrant therefor. ^{\$41.60 to be paid.}

[Approved March 7, 1901.]

CHAPTER 144.

JOINT RESOLUTION APPROPRIATING MONEY TO MEET EXPENSES INCURRED BY THE KEARSARGE COMMISSION.

\$3,020.15 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of three thousand and twenty dollars and fifteen cents be and the same is hereby appropriated for the payment of expenses incurred by the commission provided for by resolution of the house of representatives of 1899-1900, and appointed by His Excellency Governor Rollins in accordance therewith,—to procure a suitable testimonial for the battleship “Kearsarge” and to present the same; that the further sum of fifteen hundred dollars be and the same is hereby appropriated to reimburse the city of Portsmouth for moneys paid out of the treasury of said city on account of said presentation; and that the governor be and is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated. ^{\$3,020.15 appropriated.}

[Approved March 20, 1901.]

CHAPTER 145.

JOINT RESOLUTION FOR AN APPROPRIATION FOR PERMANENT REPAIRS
AT THE INDUSTRIAL SCHOOL.

\$6,800 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:\$6,800
appropriated.

That the sum of six thousand eight hundred dollars is hereby appropriated and set apart out of any money not otherwise appropriated, for permanent repairs at the industrial school, to be expended under the direction of the trustees of said school, for the following purposes: For steam heating, for stand-pipes and necessary connections for fire protection, for steel ceiling in front halls, for gymnasium, for repairs of floors and for fire escapes in girls' dormitory.

[Approved March 20, 1901.]

CHAPTER 146.

JOINT RESOLUTION PROVIDING FOR SCREENS AT THE OUTLET OF
BOW LAKE IN STRAFFORD.

\$250 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:\$250
appropriated.

That the sum of two hundred and fifty dollars be and the same is hereby appropriated for the purpose of constructing and maintaining suitable screens at the outlets of Bow lake, situated in Strafford in the county of Strafford, to prevent the egress of fish from said waters; said sum to be expended by the fish and game commissioners under the direction of the governor and council, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved March 20, 1901.]

CHAPTER 147.

JOINT RESOLUTION IN FAVOR OF HIGHWAYS IN THE TOWN OF DORCHESTER AND OTHER HIGHWAYS IN THE STATE.

Appropriations for sundry highways.

Resolved by the Senate and House of Representatives in General Court convened:

That the following sums be and are hereby appropriated for the -construction and repairs of the highways as hereinafter specified, amounting to the sum of four thousand three hundred dollars: Appropriations for sundry highways.

That the sum of two hundred dollars be appropriated for each of the years 1901 and 1902 for the repair of highways and bridges in the town of Dorchester.

That the sum of two hundred dollars be appropriated for the repair and improvement of the road and bridle path leading to Cardigan mountain in the town of Orange.

That the sum of two hundred fifty dollars for each of the years 1901 and 1902 be appropriated for the removal of ledges in public highways in the town of Newcastle.

That the sum of two hundred dollars be appropriated for each of the years 1901 and 1902 for construction and repairs of highways and bridges in the town of Campton.

That the sum of seventy-five dollars be appropriated for each of the years 1901 and 1902 for repair of highways and bridges in the town of Millsfield.

That the sum of one hundred dollars be appropriated for each of the years 1901 and 1902 for repair of the highways known as Turnpike and Knot-Hole roads leading from Jefferson to Whitefield.

That the sum of seventy-five dollars be appropriated for each of the years 1901 and 1902 for the repair of the Turnpike road, so called, in the town of Sharon.

That the sum of two hundred dollars be appropriated for each of the years 1901 and 1902 for the repair of the highway in the town of Pittsburg between the Farnsworth place, so called, and the Second Lake House at Second Connecticut lake.

That the sum of six hundred and fifty dollars be appropriated for each of the years 1901 and 1902 for repair of the highway leading from the south line of Gorham to the north line of Jackson, including the branch road leading from said road through Pinkham Notch to Gorham line.

That the sum of one hundred fifty dollars be appropriated for each of the years 1901 and 1902 to assist the town of Randolph in the repairs of highways in that town.

That the sum of one hundred and fifty dollars be appropriated for each of the years 1901 and 1902 for repair of highways in the town of Barrington, as follows: The road known as the

Canaan road, leading from the Northwood line to the main stage road from Bow lake to Dover, thence from said point to Madbury line, past the Barrington depot; also the road known as the McDaniel, Scruton Pond, and Waterhouse road, leading from the main stage road to the Rochester line.

[Approved March 20, 1901.]

CHAPTER 148.

JOINT RESOLUTION IN FAVOR OF THE GOVERNOR'S PRIVATE SECRETARY.

Salary and mileage to be paid.

Resolved by the Senate and House of Representatives in General Court convened:

Salary and
mileage.

That the governor is hereby authorized to draw his warrant to pay the salary and mileage of his private secretary out of any money in the treasury not otherwise appropriated.

[Approved March 21, 1901.]

CHAPTER 149.

JOINT RESOLUTION IN FAVOR OF THE DIXVILLE NOTCH HIGHWAY, IN THE TOWN OF DIXVILLE.

\$3,000 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

\$3,000

appropriated.

That the sum of three thousand dollars be appropriated for changing and repairing the highway in Dixville Notch in the town of Dixville, on the south side of the summit of said Notch, and the same be expended under the direction of the governor and council, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 21, 1901.]

CHAPTER 150.

JOINT RESOLUTION INSTRUCTING THE ATTORNEY-GENERAL TO COMMENCE PROCEEDINGS AGAINST CERTAIN SAVINGS BANKS.

Preamble; attorney-general to investigate tax returns of certain banks.

Resolved by the Senate and House of Representatives in General Court convened:

WHEREAS, It is claimed that certain banks in this state have ^{Preamble.} omitted in their returns property upon which taxes should be paid, now, therefore,

Resolved, That the attorney-general in behalf of the state be and hereby is authorized and empowered to investigate all ^{Attorney-general to investigate.} questions relating to such taxes, and if, in his opinion, amended returns should be made to the state treasurer, to use all reasonable efforts to have such returns made and to cause to be paid to the state treasurer any moneys that may have been withheld in the payment of any former tax, and should it become necessary to properly adjust all of said matters said attorney-general is hereby authorized and instructed to commence legal proceedings in behalf of the state.

[Approved March 21, 1901.]

CHAPTER 151.

JOINT RESOLUTION IN RELATION TO CERTAIN STATE ARCHIVES IN THE CUSTODY OF THE SECRETARY OF STATE.

Indexing of provincial records.

WHEREAS, Certain valuable books, records, and papers, relating to titles to land in all parts of the state, and to the proceedings in court covering the entire Province period, have by operation of law from time to time and by virtue of recent legislation come into possession of the state in the office of the secretary of state and now constitute a very large collection of unarranged archives of constantly increasing importance and value; and,

WHEREAS, It is indispensable to the economical and satisfactory prosecution of the public business related to said archives, and particularly to the prompt and correct production of abstracts and copies from said records for the use of the people of the state in tracing the titles to real estate, and to the courts in adminis-

tering the law in all parts of the state, that a systematic arrangement and indexing of said archives be effected as speedily as is consistent with an economical and efficient accomplishment of that undertaking; therefore, be it

Resolved by the Senate and House of Representatives in General Court convened:

Indexing of
provincial
records.

That the secretary of state be authorized to proceed with the arrangement and indexing of said books, records, and papers in his custody relating to court proceedings, titles to real estate, and the public business incidental thereto in the Province period, on such plan as, being first recommended by him, shall be approved by the governor and council and determine their place of deposit; that the secretary of state be and hereby is also made and constituted the official custodian of the books, records, and papers in this preamble and resolution mentioned, and authorized to employ such competent assistants as may be necessary for the purpose aforesaid, and that the governor be and hereby is authorized to draw his warrant for meeting the expense aforesaid out of any money in the treasury not otherwise appropriated.

[Approved March 21, 1901.]

CHAPTER 152.

JOINT RESOLUTION FOR AN APPROPRIATION FOR THE BENEFIT OF THE NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

\$30,000 appropriated for new building; \$7,500 annually appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

\$30,000 appro-
priated for
new building.

That the sum of thirty thousand dollars be and hereby is appropriated for the benefit of the New Hampshire College of Agriculture and the Mechanic Arts; which sum shall be expended in providing and equipping a suitable building wherein shall be taught the various branches of study related with agriculture, horticulture, and forestry, and such other studies as may most properly and conveniently be taught therein; said building to be constructed and equipped within the sum named in the above appropriation.

\$7,500
annually
appropriated.

That the sum of seven thousand five hundred dollars be and hereby is appropriated annually for the period of two years for use of said College of Agriculture and the Mechanic Arts, to be expended in such manner as the trustees shall direct; *provided*, that out of this sum suitable provision shall be made for the two

years' course in practical agriculture, provided for in chapter 107 of the Laws of 1895.

That the sums hereby appropriated shall be paid to the treasurer of said college, on the warrant of the governor, whenever the college shall have shown, to the satisfaction of the governor and council, that suitable provision has been made for the prudent and economical expenditure of the same.

That a special report shall be made to the governor and council, concerning the expenditure of the above sum of thirty thousand dollars; or such part thereof as shall have been expended, not later than June 1, 1902.

[Approved March 21, 1901.]

CHAPTER 153.

JOINT RESOLUTION REFUNDING TO THE CITY OF SOMERSWORTH THAT PORTION OF THE LITERARY FUND WITHHELD FOR THE YEAR 1899, AMOUNTING TO \$528.96.

\$528.96 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of \$528.96 be and hereby is appropriated from the unexpended balance of the literary fund, now in the hands of the state treasurer, and paid out to the treasurer of the city of Somersworth, for the uses of the department of public instruction of said city, the same to be paid after July 1, 1901.

[Approved March 21, 1901.]

CHAPTER 154.

JOINT RESOLUTION PROVIDING FOR THE PAYMENT OF THE EXPENSES OF A CONVENTION TO REVISE THE CONSTITUTION.

\$25,000 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

That a sum not exceeding twenty-five thousand dollars be and is hereby appropriated to pay the expenses of a convention to revise the constitution; and the governor is authorized to draw his warrant for so much of said sum as may be necessary for that purpose.

[Approved March 22, 1901.]

CHAPTER 155.

JOINT RESOLUTION IN FAVOR OF BUILDING A HIGHWAY FROM A POINT IN THE LAKE SHORE ROAD (SO CALLED) TO THE HOUSE OF HENRI G. BLAISDELL AND OTHERS, ON SHORE OF LAKE WINNIPESAUKEE IN THE TOWN OF TUFTONBOROUGH.

\$150 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

\$150
appropriated.

That the sum of one hundred and fifty dollars be appropriated to construct a highway from a point near the dividing line or land of Orlando Richardson and land of J. and F. E. Hersey on the Lake Shore road, in the town of Tuftonborough, to the houses of Henri G. Blaisdell and others, on the shore of Lake Winnepesaukee; said sum to be expended by an agent appointed by the governor and council.

And the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 22, 1901.]

CHAPTER 156.

JOINT RESOLUTION RELATING TO A STATE HIGHWAY BETWEEN MASSACHUSETTS STATE LINE AND FORT POINT IN NEWCASTLE, N. H.

\$20,000 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

\$20,000
appropriated.

That the sum of twenty thousand dollars be and is hereby appropriated to complete the carrying out of the provisions of chapter 89 of the Laws of 1899 and to build that portion of said highway — as shown by report of Arthur W. Dudley, civil engineer, to the governor and council and now on file in the office of the secretary of state — as lies between the Wentworth road and Straw's Point in the town of Rye; and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated, the same to be expended under the direction of three commissioners to be appointed by the governor with the advice of the council.

[Approved March 22, 1901.]

CHAPTER 157.

JOINT RESOLUTION IN FAVOR OF THOMAS L. HOITT OF BARNSTEAD.

\$416.21 to be paid.

Resolved by the Senate and House of Representatives in General Court convened:

That Thomas L. Hoitt be allowed and paid the sum of one ^{\$416.21 to be paid.} hundred and eleven dollars in full payment of salary for thirty-seven days' attendance as member of the house of representatives, and that he be allowed and paid the further sum of three hundred and five and 21-100 dollars for expenses incurred in contesting his right to his seat as such representative, and the governor is hereby authorized to draw his warrant for the payment to said Thomas L. Hoitt of said total sum of four hundred and sixteen and 21-100 dollars out of any money in the treasury not otherwise appropriated, and this joint resolution shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 158.

JOINT RESOLUTION FOR THE APPROPRIATION OF TWO HUNDRED DOLLARS FOR THE REPAIRING OF THE HIGHWAY IN DALTON.

\$200 appropriated.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of two hundred dollars be appropriated for the ^{\$200} repair of the highway in the town of Dalton, one hundred dollars to be expended in the year 1901, and one hundred dollars in the year 1902, and an agent be appointed by the governor and council to work out the same; this to be paid out of any money in the treasury not otherwise appropriated.

[Approved March 22, 1901.]

CHAPTER 159.

JOINT RESOLUTION FOR AN APPROPRIATION FOR THE SANDWICH
NOTCH ROAD IN THE TOWN OF THORNTON.

\$100 appropriated.

*Resolved by the Senate and House of Representatives in General Court
convened:*

\$100
appropriated. That the sum of one hundred dollars be appropriated for the
repairs of the road in the town of Thornton leading from the
Mad River bridge, so called, to the Sandwich town line, and the
governor is hereby authorized to draw his warrant for the same
out of any money not otherwise appropriated.

[Approved March 22, 1901.]

CHAPTER 160.

JOINT RESOLUTION FOR AN APPROPRIATION FOR THE BROOK ROAD, SO
CALLED, IN GROTON.

\$50 annually appropriated.

*Resolved by the Senate and House of Representatives in General Court
convened:*

\$50
annually
appropriated. That the sum of fifty dollars for each of the years 1901 and
1902 be and the same is hereby appropriated for the repair of
the Brook road, so called, being a public highway in Groton lead-
ing from the town line of Rumney to North Groton village, and
the governor is hereby authorized to draw his warrant for the
same out of any money not otherwise appropriated.

[Approved March 22, 1901.]

CHAPTER 161.

JOINT RESOLUTION IN FAVOR OF PLACING AND MAINTAINING BUOYS
IN LAKE WINNIPESAUKEE AND ADJACENT WATERS.

\$700 appropriated.

*Resolved by the Senate and House of Representatives in General Court
convened:*

\$700
appropriated. That the sum of seven hundred dollars be and hereby is ap-
propriated for placing and maintaining buoys and lights in Lake

Winnepesaukee and adjacent waters, four hundred dollars of said sum to be paid in 1901 and the balance to be paid in 1902; said sum to be expended by an agent or agents to be appointed by the governor with the consent of the council, and the governor is hereby authorized to draw his warrant for the same out of any money not otherwise appropriated.

[Approved March 22, 1901.]

CHAPTER 162.

JOINT RESOLUTION IN FAVOR OF HANSON H. YOUNG.

Allowance of \$400.

Resolved by the Senate and House of Representatives in General Court convened:

That Hanson H. Young be allowed four hundred dollars, the same being the cost incurred in contesting his right to a seat as a member from Barnstead; and the governor is hereby authorized to draw his warrant for the same. ^{Allowance of \$400.}

[Approved March 22, 1901.]

CHAPTER 163.

JOINT RESOLUTION IN FAVOR OF JAMES H. MOORE.

Allowance of \$100.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of one hundred dollars be allowed James H. Moore, and the same is hereby allowed, for expense incurred in maintaining his right to a seat in this house. ^{Allowance of \$100.}

The governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 22, 1901.]

CHAPTER 164.

JOINT RESOLUTION AUTHORIZING THE APPOINTMENT OF A COMMISSION TO ASCERTAIN AND EXACTLY DETERMINE THE POSITIONS OF NEW HAMPSHIRE TROOPS IN THE CAMPAIGN AND SIEGE OF VICKSBURG, AND TO MAKE AN APPROPRIATION TO PAY THE NECESSARY TRAVELING EXPENSES OF THE MEMBERS OF THE COMMISSION.

Governor to appoint; duty of commission; \$500 appropriated; report to be made.

Resolved by the Senate and House of Representatives in General Court convened:

Governor to
appoint.

That the governor of the state be and is hereby authorized to appoint a commission consisting of three members, being one member for each New Hampshire organization participating in the campaign and siege of Vicksburg, namely: the 6th, 9th, and 11th Infantry Regiments. Each member of said commission shall have served with honor in the siege of Vicksburg and with the organization which he is appointed to represent, and shall serve on the commission without pay except as to the necessary traveling expenses.

Duty of
commission.

That it shall be the duty of the commission to co-operate with the National Park Commission in ascertaining and exactly determining the positions of each New Hampshire organization in the siege of Vicksburg, and also to recommend to the governor of the state such subsequent legislation as will, in the opinion of the commission, permanently and suitably mark the positions thus ascertained and worthily commemorate the valor and services of New Hampshire soldiers in the campaign and siege of Vicksburg.

\$500
appropriated.

That the sum of five hundred dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of the funds of the state treasury not otherwise appropriated, to be drawn and used by the said commission to pay the necessary traveling expenses of the members thereof in the discharge of the duties aforesaid, on the presentation of such certified vouchers as the governor and council shall direct.

Report to be
made.

Said commission shall make a full report of the execution of its trust to the governor on or before the 15th day of January, 1902.

[Approved March 22, 1901.]

CHAPTER 165.

JOINT RESOLUTION IN FAVOR OF JOHN K. LAW AND OTHERS.

Sundry appropriations.

Resolved by the Senate and House of Representatives in General Court convened:

That John K. Law and John Demeritt be allowed the sum of \$324 each; that the Rev. Joel B. Slocum, Herbert A. McElwaine, Martin L. Piper, Edward C. Hunt, James F. Whitehead, Hiram E. Currier, Warren W. Lovejoy, George W. Johnson, George C. Bingham, William H. Smith, William H. Weston be allowed the sum of \$280 each; that Harry M. Lee be allowed the sum of \$280; that Fremont E. Shurtleff be allowed the sum of \$400; that Josephine C. Larkin be allowed the sum of \$300; that Julia E. Sullivan be allowed the sum of \$75; that Fred A. Gardner, Albert D. Laneville, Charles L. Roberts, Herbert J. Stowell, and Charles J. Ballou be allowed the sum of \$160 each; that Edward M. Nason be allowed the sum of \$300; that Horace L. Ingalls, John W. Lowry, and Stephen S. Ford be allowed the sum of \$200 each; that J. M. Stewart & Sons Co. be allowed the sum of \$27.86; that Edson C. Eastman be allowed the sum of \$432.06; that the sum of \$64.80 be allowed James Burbeck; that the sum of \$5 be allowed James H. Holland; that the sum of \$6.90 be allowed Humphrey-Dodge Co.; that the sum of \$22.20 be allowed the Chronicle & Gazette Co.; that the sum of \$3.96 be allowed the Herald Publishing Co.; that Martin L. Piper be allowed the sum of \$3.50; that Ira C. Evans be allowed the sum of \$7.92; that George H. Wilson be allowed the sum of \$15.65; that Harlan C. Pearson, Fred Leighton, George W. Fowler, John Edward Coffin, Elias A. McQuaid, W. Shannessy, Harry B. Cilley, Frank H. Challis, Henry H. Metcalf, Allan H. Robinson, I. Eugene Keeler, Frank M. Shackford be allowed the sum of \$100 each; that the sum of \$2 be allowed A. H. Britton; that the sum of \$632.30 be allowed the Monitor & Statesman Co.; that the sum of \$26.98 be allowed the People & Patriot Co.; that the sum of \$605.46 be allowed the Union Publishing Co.; that the sum of \$145.12 be allowed Frank L. Sanders; that William F. Whitcher be allowed the sum of \$2.30; that James E. Henry be allowed the sum of \$7.60; that James M. Cooper be allowed the sum of \$350; that George A. Place be allowed the sum of \$15; that Charlotte Bartlett be allowed the sum of \$62; that the sum of \$1.40 be allowed the Concord Evening Monitor; that Diamond G. Wells be allowed the sum of \$6.80; that Henry E. Brock be allowed the sum of \$100; that Thomas F. Clifford be allowed the sum of \$50; that The John B. Clarke Co. be allowed the sum of \$415.50; that the sum of \$100 be allowed Alice M. Littlefield; that the sum of \$50 be allowed Susan R.

Morrison; that Merrill Shurtleff be allowed the sum of \$355, Sentinel Printing Co., \$2, George W. Johnson, \$3.50.

[Approved March 22, 1901.]

CHAPTER 166.

NAMES CHANGED.

Names
changed.

From January, 1899, to January, 1901, the judges of probate have made and returned to the secretary of state the following changes of names:

Rockingham. ROCKINGHAM COUNTY.—Jane West, to Jane Lee; Mary E. Gentley, to Mary E. Kelliher; Mary L. Clay, to Mary L. Lang; Alice A. Eastman, to Alice A. Deane; Emma Estelle Smith, to Estelle E. Langley; Annie M. Downing, to Annie M. Hill; Robert M. Wiggin, to Robert M. French; Alice E. Kane, to Alice E. Wall; Myra H. Twombly, to Myra H. Davis; Anna M. Davis, to Anna M. Jones; Clara Selack, to Clara Gill; Mary W. Stirling, to Mary W. Flynn; Nellie E. Gove, to Nellie E. Lyford; Phoebe M. Pratt, to Phoebe M. Briggs; Minnie Tilton, to Minnie Farrell; Ida M. Ladd, to Ida M. Kennard; Frederick W. Joslyn, to Frederick W. Harrington; Carrie E. Joslyn, to Carrie E. Harrington; Etta B. Coleman, to Etta B. Smith; Emma V. Wells, to Emma V. Hodgdon; Caroline E. Warner, to Caroline E. Dodge; Mary E. Kuselich, to Mary E. Atkins; George S. Tilton, to George G. Tilton; Jennie McGrath, to Jennie Merrick; Ada F. Williams, to Ada F. Mason; Ella M. Varrell, to Ella M. Marshall; Abbie M. Brown, to Abbie M. Wells; Perley E. White, to Perley E. Mason; Sarah Ella McKenna, to Ruth Marion Svenson; Lucy D. Ball, to Lucy D. Bartlett; Wilber I. Short, to Wilber I. Fay; Bertha H. Bunker, to Bertha H. Keyes; Isabel Luck, to Isabel L. Leavitt; John C. Kirk, to John C. Houtvet; Katherine A. Tollbom, to Katherine A. Cockburn; Hazel May Skillings, to Hazel May Frame; Marion Parker Fife, to Marion Parker Moulton; Emma H. Given, to Emma Florence Flynn; Edward Arthur Foote, to Edward Arthur Hills.

Strafford. STRAFFORD COUNTY.—George Herbert Wentworth, to Bert Wentworth; Priscilla A. Cook, to Priscilla A. Paul; Mary Etta Stevens, to Mary Etta Hayes; Annie Springer, to Annie Knapp; Millicent Agnes Grover, to Doris Millicent Shapleigh; John W. Smallcon, to John W. Small; Ella May Butterworth, to Arvillar Hussey; Ralph Foster, to Ralph Otis Watson; Martha Roberts, to Martha Leigh; M. Geneva Beal, to M. Geneva Berry; William Stanley Skeetup, to William Stanley Blaisdell; Grace Viola Poor, to Phyllis Vera Poor; Persis L. Levy, to Persis L. Wiggin; Mary Marcotte, to Mary Q. Marcotte; Maria Exerina

Goulet, to Exerina Gagnon; Alice Cartland, to Alice Cartland Downing; Mabelle Bardsley, to Mabelle Bailey; Samuel Bell, to Samuel Harding Bell; Frederick Henry Peppin, to Frederick Henry Ryan; Marie Berube, to Marie Audeux; Margretta Upton, to Jennie Margretta Whitehouse; Gilberta Irene Herrick, to Lottie Gilbertha H. Pound; Phyllis Meriam Grant, to Phyllis Grant Redlow; Maudie May Hall, to Maudie May Wilkinson; Nellie M. Brown, to Nellie M. McDonald.

BELKNAP COUNTY.—Sarah E. Savage, to Jessie Savage; Edna Belknap. Black, to Lillian Beatrice Currier; Perley E. Senter, to Henry E. Wade; Margaret Garland, to Margaret Eames; Edith Farrar, to Stella Iola Giles; Lola B. Reed, to Lola B. Foss; Grace A. Durgin, to Grace A. Locke; George Davis, to John Herman Semple; William Rowe Jones, to William Danforth Rowe; Emma T. Frye, to Emma Taylor Ladd; Blanche M. Lessard, to Blanche M. Turmal; Frances L. Gero, to Frances L. Dexter.

CARROLL COUNTY.—Louisa Stewart, to Mary Belle Willey; Carroll. Christie Ealy, to Vera Gordon; Lottabell Osgood, to Lottabell Andrews; Rhoda Nutt, to Rhoda Kenney; Carrie Wentworth, to Carrie Hepworth; Sarah F. Jones, to Sarah F. Strickland; Jareb Alonzo Greene, to Jared Alonzo Greene.

MERRIMACK COUNTY.—Margaret I. Stanley, to Margaret I. Merrimack. Ferguson; Bessie May Sanborn, to Bessie May Momblo; Gladys Marion Kelley, to Gladys Marion Ordway; Emma Grace Proctor, to Emma Grace Phelps; Harry Chauncy Davis, to Harry Chauncy Cate; Lena Kimball, to Lena Gordon; Jessie W. Davis, to Jessie W. Foster; Willie C. Buswell, to William C. Rowe; Charles Brennan, to Charles Cranston; Grace Taylor, to Grace Lull; Lester Howard Ingalls, to Lester Howard Fletcher; Marjorie Atkins, to Jessie Gould; Esther C. Hart, to Esther C. Hewitt; Wilson Boyd, to William Cyrus Brown; Abbie R. Jacobs, to Abbie R. Batcher.

HILLSBOROUGH COUNTY.—Gladis H. Derby, to Gladis H. Hillsborough. Whiting; William Pillsbury, to William Pillsbury Stickney; Joseph Murphy, to Joseph Phillippe Massicotte; Edith H. Pero, to Edith H. Sargent; Nellie Robinson, to Nellie F. Smith; John E. Blanchard, to John E. Barden; Theresa Corina Driscoll, to Corina Bacigalupo; Frank L. Reed, to Frank Cronin; Evelyn Crooks, to Evelyn Parker; Ruth M. McPherson, to Ruth M. Blakely; Alma R. Sedgewick, to Alma A. Robinson; Nell B. Lawrence, to Nellie Lawrence Marshall; Lena J. Woodbridge, to Lena J. Blackmun; Nellie F. House, to Nellie E. Flanders; Emma Frances Williams, to Emma Frances Pierce; Franklin Augustus Hill, to Franklin Augustus Hills; Rosa S. Morrill, to Rosa A. Crowell; Eliza S. Cheever, to Lizzie A. Cheever; Abby G. Lee, to Abby G. Forbush; Mary A. Bennett, to Mary A. Haselton; Cora E. Forgays, to Cora E. Amlam; Maria Cotilda Martina, to Maria Clotilda Bacigalupo; Musette Elsworth, otherwise called Estella Musette Titus, to Estella Musette Mills; Minnie C. Currier, to Minnie C. Johonnett; Clarence Wheeler Gannon, to Clarence Shepherd Gannon; Clara L.

Pettee, to Clara L. Howard; Delinda Ann Pelkie, to Delinda Ann Lee; Dorothy Frances Heath, to Dorothy Frances Whidden; Annie Elizabeth Brown, to Elizabeth Scribner Brown; Meltie Nette Burgess, to Meltie Nette Mitchell; Ina S. Knowles, to Ina S. Colby; Clara Sanborn Dudley, to Clara Loretta Sanborn.

Cheshire.

CHESHIRE COUNTY.—Sylvia Estelle Cobb, to Sylvia Estelle Goodwin; Lillian Alice McRegney, to Lillian Alice Cahill; Harry Hurton Stevenson, to Charles Hurton Blake; Sylvia Maribee Day, to Sylvia Maribee Hayden; Elsie Moulton Whyte, to Bessie Gertrude Dunton; Clara Lilly Veber, to Clara Lilly Knight; Fred Theodore Veber, to Fred Theodore Knight; William A. Bemis, to Francis Truth; Walter Henry Penniman, to Walter Henry Turner; Arethusa Whitney Adams, to Katherine Whitney Alden; Olive Pratt Fraser, to Olive Pratt Keniston; Mary Esther Smith, to Mary Esther Allard; Addie M. Peck, to Addie M. Grant; Helen Maria Berry, to Helen Berry Banning; Linnie L. Bemis, to Linnie L. Truth; Myrtle Mabel Crassley, to Myrtle Mabel Lund.

Sullivan.

SULLIVAN COUNTY.—Ray Edward Alexander, to Ray Edward Stowell; Leon W. Chase, to Leon W. Burns; Pearl M. Eddy, to Pearl M. Dean; Frank Willis Grandy, to Frank Willis Crane; Florence L. Johnson, to Florence L. Guild; Florence E. Lufkin, to Florence E. Dunlap; Elinor Millner, to Elinor Trow; Abbie Maud Mann, to Georgia Maud Carlton; Winifred A. Stevens, to Winifred A. Bartlett; Charles B. Slawenwhite, to Charles B. Howlett; Frank A. Slawenwhite, to Frank A. Howlett.

Grafton.

GRAFTON COUNTY.—Luella Bonett, to Luella Turner; Hugh N. Bonett, to Hugh N. Turner; Bertha L. Crawford, to Bertha Crawford Large; Frank Curtis, to Frank Curtis Jackson; Sarah Maud Davis, to Sarah Maud Little; Ephraim Henry Davis, to Ephraim Henry Little; Wilma Gertrude Elliott, to Wilma Gertrude Harris; Guy G. Furnel, to Guy Goodwin Fernald; William B. Hook, to William B. Corser; Blanch Kinney, to Blanch Miller; Grace W. Marshall, to Grace W. Ricker; Donald J. Mielon, to Donald J. Vandyke; Carl George Peaslee, to Errol Kenneth Muzzey; Sadie P. Rowe, to Sadie P. Sanborn; Martha Smith, to Agnes Ethel Kinne; Ralph Swindlehurst, to Ray Abbott Craig; Robert Swindlehurst, to Roy Byron Craig; Cecil H. Tarady, to Cecil H. Smith; Jesse A. Tarady, to Jesse A. Smith; Alma B. Tarady, to Alma B. Smith; Archibald Barry, to Archibald Gregory; Fred Kimball Buxton, to Fred Kimball McConnell; Mabel Crane, to Mabel Hall; Jessie M. Counter, to Jessie M. Chamberlin; Fannie Ruth Forbes, to Fannie Ruth Forbes; Benjamin J. Frizette, to Benjamin J. Lawrence; Beatrice Heath, to Beatrice Hildreth; Merl W. Heath, to Merl W. Hildreth; Jennie L. King, to Jennie L. Putnam; Catherine Mehan, to Catherine Hunter; Georgianna Repley, to Georgianna Tondreau; James Watson Smith, to James Watson; Mary Smith, to Mary Watson; Mary Edith Whitney, to Edith Mary Emery.

Coos COUNTY.—Lillia A. Davis, to Lillia A. Goodwin; Le-^{Coos.}land Smith, to Leland Nelson Boutwell; Natt Ray Laughton, to Natt Ray Cummings; Achsah Alice French, to Ruth Kent; Maud Agnes Willard, to Maud Agnes Stevens; Earl C. Keeler, to Harry Earl Morse; Viola L. Kitchin, to Lurline Elsie Gillanders.

PRIVATE ACTS.

CHAPTER 167.

AN ACT TO REPEAL CHAPTER 194 OF THE PAMPHLET LAWS OF 1899,
AND TO CHANGE THE CORPORATE NAME OF THE DOVER HOME FOR
AGED PEOPLE.

SECTION

1. Former act repealed.
2. Name changed.

SECTION

3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

Former act
repealed.

Name
changed.

Takes effect
on passage.

SECTION 1. That chapter 194 of the Pamphlet Laws of 1899,
approved March 8, 1899, be and the same is hereby repealed.

SECT. 2. That the Dover Home for Aged People is hereby
authorized to change its corporate name to "Wentworth Home
for the Aged."

SECT. 3. This act shall take effect upon its passage.

[Approved January 29, 1901.]

CHAPTER 168.

AN ACT TO PROVIDE FOR THE ELECTION OF A SUPERINTENDENT OF
STREETS FOR THE CITY OF DOVER.

SECTION 1. Superintendent of streets provided for.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

Superintend-
ent of streets
provided for.

SECTION 1. At the next annual municipal election of the
voters of the city of Dover there shall be chosen a superinten-
dent of streets, who shall commence his term of office at the
same time as the mayor. He shall hold office for the term of
one year, and until his successor is elected and qualified. At
each annual election thereafter he shall be so chosen. He shall

be elected and the votes canvassed in the same manner as that of mayor. His salary shall be one thousand dollars for the term, to be paid by the city in monthly payments. His duties shall be such as now are or may be prescribed by ordinances of the city.

[Approved January 29, 1901.]

CHAPTER 169.

AN ACT TO LEGALIZE AND CONFIRM THE WARRANT FOR, AND THE VOTES AND PROCEEDINGS AT, THE BIENNIAL ELECTION AND MEETING IN HAMPTON, HELD THE SIXTH DAY OF NOVEMBER, 1900.

SECTION

1. Warrant and proceedings legalized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the selectmen's warrant for, and the votes and proceedings thereunder at, the biennial election and meeting in the town of Hampton, held in said town on the sixth day of November, 1900, are hereby legalized and confirmed.

Warrant and proceedings legalized.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved February 5, 1901.]

CHAPTER 170.

AN ACT TO EXTEND THE TIME FOR THE LOCATION, CONSTRUCTION, AND COMPLETION OF THE RAILROAD OF THE MOOSILAUKE RAILROAD COMPANY.

SECTION 1. Time for construction extended; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The time for the location, construction, and completion of the Moosilauke Railroad is hereby extended to the first day of July, 1904, and this act shall take effect upon its passage.

Time for construction extended; act takes effect on passage.

[Approved February 5, 1901.]

CHAPTER 171.

AN ACT TO EXTEND AND AMEND THE CHARTER OF THE DERRY & PELHAM ELECTRIC RAILWAY COMPANY.

SECTION

1. Time for building extended; capital increased.

SECTION

2. Takes effect upon passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for
building
extended;
capital
increased.

SECTION 1. An act incorporating the Derry & Pelham Electric Railway Company, approved February 7, 1899, is hereby so far amended that the time for building said road, as provided in section 7 of said act, is extended for the term of two years from and after the seventh day of February, 1901.

Section 6 of said act is hereby amended by striking out the word "two" where it appears in the second line of said section and inserting in place thereof the word three, so that as amended said section shall read: The capital stock of said corporation shall not exceed three hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 5, 1901.]

CHAPTER 172.

AN ACT TO AMEND THE CHARTER OF THE GILMANTON & BARNSTEAD ELECTRIC RAILWAY COMPANY.

SECTION

1. Time for building extended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for
building
extended.

SECTION 1. The time fixed in the charter of the Gilmanton & Barnstead Electric Railway Company, approved February 15, 1899, chapter 160, Pamphlet Laws 1899, in which to build its road, is hereby extended to February 15, 1903.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved February 5, 1901.]

CHAPTER 173.

AN ACT TO AMEND THE CHARTER OF THE MEREDITH & OSSIPEE ELECTRIC RAILWAY COMPANY.

SECTION

1. Time for building extended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The time fixed in the charter of the Meredith & Ossipee Electric Railway Company, approved February 15, 1899, chapter 161, Laws of 1899, in which to build its road, is hereby extended to February 15, 1903. Time for building extended.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved February 5, 1901.]

CHAPTER 174.

AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE NORTH CONWAY & MOUNT KEARSARGE RAILROAD, PASSED AT THE JUNE SESSION, 1883, AND OF AN ACT TO EXTEND THE TIME FOR THE COMPLETION OF THE SAME, PASSED JUNE SESSION, 1887, AND OF AN ACT IN AMENDMENT OF THE SAME, PASSED JUNE SESSION, 1889, AND OF AN ACT IN AMENDMENT OF THE SAME, APPROVED MARCH 31, 1893, AND OF AN ACT TO EXTEND THE TIME FOR THE COMPLETION OF THE SAME, APPROVED MARCH 1, 1899.

SECTION

1. Time for completion extended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The time for the completion of the North Conway & Mount Kearsarge Railroad is hereby extended to the first day of July, 1904. Time for completion extended.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 5, 1901.]

CHAPTER 175.

AN ACT TO EXTEND THE CHARTER FOR THE BUILDING OF THE CLAREMONT STREET RAILWAY.

SECTION

1. Time for building extended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for
building
extended.

SECTION 1. The time fixed in the charter of the Claremont Street Railway Company, approved February 14, 1899, in which to build its road is hereby extended to February 14, 1903, and said corporation shall have such additional time in which to build its road.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 5, 1901.]

CHAPTER 176.

AN ACT TO AMEND AND EXTEND THE CHARTER OF THE HUDSON, PELHAM & SALEM ELECTRIC RAILWAY COMPANY.

SECTION

1. Time for building extended; capital increased.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for
building
extended ;
capital
increased.

SECTION 1. An act incorporating the Hudson, Pelham & Salem Electric Railway Company, approved March 7, 1899, is hereby so far amended that the time for building said road, as provided in section 11 of said act, is extended for the term of two years from and after the 7th day of March, 1901.

Section 2 of said act is hereby amended by striking out the word "two" where it appears in the second line of said section, and inserting in place thereof the word three, so that as amended said section shall read: The capital stock of said corporation shall not exceed three hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and

bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of chapter 27, section 17, Laws of 1895.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 5, 1901.]

CHAPTER 177.

AN ACT TO AUTHORIZE THE TOWN OF BOW TO APPROPRIATE MONEY FOR THE RELIEF OF ALEXANDER MCHARG, COLLECTOR OF TAXES OF SAID TOWN.

SECTION

1. Appropriation authorized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The town of Bow is hereby authorized and empowered to raise and appropriate money to an amount not exceeding two hundred and twenty-five dollars to reimburse Alexander McHarg for money collected by him, as collector of taxes of said town, and destroyed by fire on April 14, 1899.

Appropriation
authorized.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 5, 1901.]

CHAPTER 178.

AN ACT TO REVIVE AND LEGALIZE THE LONDONDERRY CALVINIST BAPTIST CHURCH AND FOR OTHER PURPOSES.

SECTION

1. Articles of agreement revived.
2. Corporation constituted.
3. Meeting of corporation.

SECTION

4. Subject to repeal; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The articles of agreement of members of the Londonderry Calvinist Baptist Church to form a corporation, dated April 6, 1895, recorded in the records of Londonderry, April 8, 1895, and in the office of the secretary of state April 24, 1895, are revived, legalized, and made of full force and effect, and the membership as provided therein is confirmed.

Articles of
agreement
revived.

Corporation constituted.

SECT. 2. The title to such property as has been granted and conveyed to said Londonderry Calvinist Baptist Church as heretofore constituted is legalized and made valid as now constituted, and said Londonderry Calvinist Baptist Church shall have all the rights, powers, and privileges and be subject to all the duties and obligations incident to corporations of a similar nature.

Meeting of corporation.

SECT. 3. The first two persons signed to said articles, namely, Frank A. Nesmith and Ernest W. Watts, are authorized and empowered to call a meeting of said corporation, by posting a notice in two public places in the town of Londonderry ten days before said meeting, for the purpose of organization and such business as may be incident and necessary for the sale.

Subject to repeal ; act takes effect on passage.

SECT. 4. The legislature may alter, amend, or repeal this act at pleasure ; and it shall be of force and effect on its passage.

[Approved February 5, 1901.]

CHAPTER 179.

AN ACT TO REMOVE DOUBTS IN THE CONSTRUCTION OF SECTION 1, CHAPTER 181 OF THE LAWS OF 1881, AND SECTION 1, CHAPTER 163 OF THE LAWS OF 1887, RELATING TO TAXATION OF THE PROPERTY OF THE LITTLETON WATER & LIGHT COMPANY.

SECTION

1. Intent of former act declared ; indebtedness fixed.
2. Provision for reduction of indebtedness.

SECTION

3. Annual statement of condition.
4. No reduction in assessment.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Intent of former act declared ; indebtedness fixed.

SECTION 1. That the true intent and meaning of section 1, chapter 181 of the Laws of 1881, and section 1, chapter 163 of the Laws of 1887, be and hereby is declared to be, to exempt from taxation the property of the Littleton Water & Light Company as successor to the Aphthorp Reservoir Company, the Ammonoosuc Electric Light Company, the Littleton Water & Electric Light Company, and the Littleton Water & Power

Company, to an amount equal to its outstanding, *bona fide*, interest-bearing, construction indebtedness, whether said indebtedness originated under the administration of said Littleton Water & Light Company, or came to it as successor to the companies aforesaid, either by assignment, foreclosure, or reorganization. Said construction indebtedness at the date of the passage of this act is fixed and declared to be one hundred and twenty-five thousand dollars.

SECT. 2. That the earnings of said company, after paying interest upon its indebtedness aforesaid, necessary construction and operating expenses, and other reasonable and necessary charges, and providing and maintaining a fund of two thousand dollars to meet extraordinary expenses, shall be treated as applied to said indebtedness, and as said indebtedness is reduced as aforesaid, the assessment of said property shall be correspondingly increased, until said property is taxed in proportion to other property in said town. Said fund of two thousand dollars may be invested in the bonds of the United States or in the bonds of the company.

SECT. 3. That the said Littleton Water & Light Company shall annually, on the 1st day of April, file in the office of the clerk of the town of Littleton, a sworn statement of its indebtedness on said day, and of its earnings and expenses for the year ending on said day, in such form and with such detail as the selectmen of said town may require.

SECT. 4. Nothing in this act shall be construed to require or authorize an assessment of the property of said company for less than it is now assessed.

SECT. 5. This act shall take effect upon its passage.

[Approved February 7, 1901.]

Provision for
reduction of
indebtedness.

Annual
statement
of condition.

No reduction
in assess-
ment.

Takes effect
on passage.

CHAPTER 180.

AN ACT TO PREVENT MISAPPROPRIATION OF FUNDS RAISED BY TAX-
ATION FOR PUBLIC LIBRARIES.

SECTION

1. Apportionment of free library funds in Haverhill.

SECTION

2. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Apportion-
ment of free
library funds
in Haverhill.

SECTION 1. One third part of the taxes heretofore raised and set apart under existing law for the purpose of a free public library in the town of Haverhill, shall be paid by the trustees of the town library to the trustees of the Woodsville Free Public Library in said town for the purposes of said library, and one third part of the amount hereafter to be raised for free public library purposes in said town shall annually be paid to said trustees for the purpose of said Woodsville Free Public Library. The accumulation of said library funds in said town by reason of said two thirds of said library taxes in said town not hereby appropriated to the present use of any library shall be held by the town library trustees for the use of any other free public library or libraries in said town which may hereafter conform to the requirements of law regarding free public libraries.

Takes effect
on passage ;
repealing
clause.

SECT. 2. This act shall take effect upon its passage, and all acts and parts of acts inconsistent with this act are hereby repealed.

[Approved February 13, 1901.]

CHAPTER 181.

AN ACT TO AMEND THE CHARTER OF THE KEENE GAS LIGHT COMPANY.

SECTION

1. Increase of capital stock authorized.
2. Corporate name changed.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Increase of
capital stock
authorized.

SECTION 1. The said corporation is hereby authorized to increase its capital stock to a sum not exceeding one hundred and fifty thousand dollars for the purpose of making extensions and paying its indebtedness, and to issue its certificates of stock at such times and for such amounts as the directors may determine.

SECT. 2. The name of said corporation is hereby changed to The Keene Gas & Electric Company. Corporate name changed.

SECT. 3. Any part of the charter of said corporation granted June 27, 1860, inconsistent with this act is hereby repealed, and this act shall take effect upon its passage. Repealing clause ; act takes effect on passage.

[Approved February 13, 1901.]

CHAPTER 182.

AN ACT TO AMEND THE CHARTER OF THE AMERICAN TYPOGRAPHIC COMPANY, PASSED AT JUNE SESSION, 1885, BY CHANGING THE NAME OF SAID CORPORATION.

SECTION

1. Corporate name changed.

SECTION

2. Repealing clause act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of chapter 177, Laws of 1885, is hereby amended by striking out the name "American Typographic Company," and inserting in place thereof the name, Manchester Traction, Light & Power Company, in which name it shall transact all its business. Name changed.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on its passage. Repealing clause ; act takes effect on passage.

[Approved February 13, 1901.]

CHAPTER 183.

AN ACT IN AMENDMENT OF SECTIONS 2 AND 3, CHAPTER 228 OF THE LAWS OF 1893, TO ENLARGE THE PRIVILEGES GRANTED TO THE PLYMOUTH VILLAGE FIRE DISTRICT.

SECTION

1. Privileges enlarged.

SECTION

2. Right of eminent domain.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. To amend section 2 of chapter 228 of the Laws of 1893 by striking out the words "said town" after the word "in" in the second line of said section and inserting in place Privileges enlarged.

thereof the following words: the towns of Plymouth, Holderness, Campton, Rumney, and Ellsworth, in the county of Grafton, so that said section as amended shall read as follows:

SECT. 2. Said district is also authorized and empowered to purchase, take, and appropriate any streams or ponds in the towns of Plymouth, Holderness, Campton, Rumney, and Ellsworth, in the county of Grafton, and to raise and lower the waters of the same, and to dig canals and ditches in any lands through which it may be desirable for its aqueducts and pipes to pass, so far as it may be deemed necessary and proper for the purpose of obtaining, accumulating, preserving, and conducting water for the use of said water-works, and to place pipes and make other suitable works for building, maintaining, operating, and repairing said water-works, with the right to relay, change, and repair the same at any time.

Right of
eminent
domain.

SECT. 2. To amend section 3 of chapter 228 of the Laws of 1893, by inserting after the word "clerk" at the end of the thirteenth line in said section the words, of each, and by striking out the word "town" after the word "said" in the fourteenth line of said section and inserting in place thereof the words, towns in which any real estate, rights in real estate, water rights, streams, or other rights as aforesaid may be situated, so that said section as amended shall read as follows:

SECT. 3. In case said district shall take and appropriate any real estate, rights in real estate, water rights, streams, or other rights as aforesaid, or shall so make its dams and aqueducts as to raise or lower the water in any stream or streams, or to affect the supply of water therefrom to any mills or privileges, to the injury of any persons having rights in said water, and shall not agree with the owner or party injured upon the damages to be paid by the district therefor, said district, or said owners or parties injured, may apply to the county commissioners for the county of Grafton for an assessment of damages, and said commissioners, after due notice to the parties interested and a hearing, shall assess and award the damages to the party entitled thereto, which assessment and award shall be in writing and filed in the office of the clerk of each of said towns in which any real estate, rights in real estate, water rights, streams, or other rights as aforesaid may be situated, and upon payment or tender to the owner or party injured of the sum so assessed, the right so taken shall be vested in said district, but the same right of appeal from such award shall exist as in case of lands taken for highways by the action of said commissioners.

[Approved February 13, 1901.]

CHAPTER 184.

AN ACT TO AUTHORIZE A VILLAGE DISTRICT OF BELMONT TO PURCHASE, CONSTRUCT, AND MAINTAIN AN ELECTRIC LIGHT PLANT.

SECTION

1. Purchase, construction, etc., authorized.
2. Regulation and control.

SECTION

3. Power of district to contract.
4. Power to raise money.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Any village district, under an appropriate name, now or hereafter established in the town of Belmont under the provisions of the Public Statutes, is hereby authorized to purchase the property and franchises of the Citizens' Electric Light Company of said Belmont, and to enlarge and maintain the same, for the purpose of generating and supplying electricity to light the streets and public buildings and for domestic and manufacturing uses in said Belmont and adjoining towns, and may distribute, convey, and supply the same by metallic wires, or by any other suitable means, upon poles erected for that purpose, or in other convenient ways, in any public street or highway in said towns, and may relay and repair the same, having proper regard for the rights of the public.

SECT. 2. Said district shall have the power and authority to make regulations for the use of said electricity, and the control and management of the plant may be placed in the hands of the firewards, who shall appoint all necessary officers.

SECT. 3. Said district is authorized and empowered to contract with individuals or corporations for supplying it with electricity, to sell electricity to the town of Belmont, private individuals, and corporations, to make such other contracts and establish such tolls for the use of electricity as may from time to time be deemed proper.

SECT. 4. Said district is also authorized at any annual meeting by a major vote of those present and voting and at any special meeting by a major vote of those present and voting, provided a majority of the voters of the district are present and vote, to raise and appropriate and to borrow or hire such sums of money on the credit of the district as may from time to time be deemed advisable, not exceeding in all twelve thousand dollars, for the purpose of defraying the expense of purchasing the property of the Citizens' Electric Light Company and such other property as may be necessary, and for enlarging, maintaining, and operating said electric light plant, and to issue notes or bonds of the district therefor, payable at such times and at such rates of interest as the district may determine, and such notes and bonds shall be exempt from local taxation in Belmont when owned by citizens of said Belmont.

SECT. 5. This act shall take effect upon its passage.

[Approved February 13, 1901.]

CHAPTER 185.

AN ACT AUTHORIZING THE HILLSBOROUGH COUNTY CONVENTION TO
RAISE MONEY FOR THE BUILDING AND REPAIRING OF COURT HOUSES.

SECTION

1. Vote to raise money authorized.
2. Adjustment with Nashua and Manchester.

SECTION

3. Right of eminent domain.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Vote to raise
money
authorized.

SECTION 1. The county convention for Hillsborough county, for the years 1901 and 1902, is authorized to vote a sum of money not exceeding one hundred and thirty thousand dollars for the purchase of land and the erection, completion, and furnishing of a court house and county offices in the city of Nashua, and for the purchase of land and buildings and the making additions to and alterations and repairs of such buildings so purchased in Manchester, or for the erection and completion of a building in the city of Manchester and the furnishing thereof for court house and county office purposes, and to empower the county commissioners of said county, together with such committee as the said county convention may appoint, to borrow a sufficient sum of money for such purpose, and to issue the bonds of the county therefor in such denominations and at such rate of interest, not exceeding four per cent per annum, payable at such time and place as they may determine.

Adjustment
with Nashua
and
Manchester.

SECT. 2. Said convention is further authorized and empowered to adjust with and discharge the city of Nashua and the city of Manchester from the obligations, leases, and bonds at present existing on behalf of said cities or either of them to and with said county. In case said convention shall vote to erect such building or buildings hereinbefore described and shall vote to cancel such obligations, leases, or bonds, or either of them, then and in that case the supreme court sitting in and for said county shall, on petition being made therefor, appoint a board of arbitrators to pass upon said petition and fix the amount which said cities or either of them shall pay for such release; on payment of which sum to the county a full release and cancellation thereof shall be made. For the complete carrying out of the same the county commissioners are hereby authorized, on such payment, to make, execute, and deliver on behalf of the county such release or releases, discharge or discharges, as may be decreed necessary by such board of arbitrators for the complete cancellation and satisfaction of such obligation or obligations. Any and all costs of such arbitrators shall be paid by the county.

Right of
eminent
domain.

SECT. 3. Whenever the committee, appointed by said county convention for such purpose, cannot obtain suitable lands for the erection of said court houses and county office buildings by con-

tract for a reasonable price, any lands so required for said uses may be taken, the damages assessed, and the same remedies and proceedings had as in the case of laying out of highways; *provided, however*, that the venue of said actions shall be in such county as the supreme court for the county of Hillsborough shall determine.

SECT. 4. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 13, 1901.]

CHAPTER 186.

AN ACT TO AMEND SECTION 1 OF AN ACT OF JUNE, 1816, INCORPORATING THE FIRST CONGREGATIONAL SOCIETY IN RAYMOND.

SECTION

1. Act of incorporation amended.
2. Repealing clause.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The following clause contained in section 1 of said act of incorporation, "and may make, purchase, and receive subscriptions, grants, and donations of real and personal estate not exceeding three thousand dollars for the use and benefit of said corporation," may be and is hereby amended by striking out after the word "estate" the words "not exceeding three thousand dollars," so that said clause as amended may read as follows: and may make, purchase, and receive subscriptions, grants, and donations of real and personal estate for the use and benefit of said corporation.

Act of incor-
poration
amended.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Repealing
clause.

SECT. 3. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 20, 1901.]

CHAPTER 187.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE BAPTIST CONVENTION OF THE STATE OF NEW HAMPSHIRE," PASSED JUNE 24, 1826, AMENDED JUNE 29, 1860, AMENDED FEBRUARY 23, 1897.

SECTION

1. Amendment of charter and enlargement of powers.
2. May have corporate seal.

SECTION

3. Repealing clause; act subject to repeal and takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Amendment
of charter
and enlarge-
ment of
powers.

SECTION 1. The said corporation is authorized to hold property, real and personal, for all purposes and subject to all the provisions of said acts, to an amount not exceeding three hundred thousand dollars, and it may be appointed and constituted a trustee by any person, church, or society, and under any will or by probate court, and is authorized to act as such and receive, manage, and control property, either personal or real, in trust, to all intents and purposes and subject to all the laws and regulations relating thereto, the same as natural persons. The management and control of the affairs, business, and property, and the performance of all trusts and duties thereunto pertaining shall be vested in a board of trustees to consist of not less than seven nor more than twenty-seven, who shall be elected annually, and shall hold their office for one year and until their successors are chosen and qualified. Said board shall have the power to fill any vacancy in the board or in any office of the corporation until the next annual election, and shall have and be vested with all the powers of the corporation.

May have
corporate
seal.

SECT. 2. Said corporation may have a seal of such style as the board of trustees shall direct, to be in the custody of the treasurer and be affixed to such instruments executed by the corporation as are required to be sealed by law.

Repealing
clause; act
subject to
repeal and
takes effect
on passage.

SECT. 3. All parts of said acts inconsistent with this act are hereby repealed. The legislature may alter, amend, or repeal this act at pleasure, and it shall take effect on and after its passage.

[Approved February 20, 1901.]

CHAPTER 188.

AN ACT TO INCORPORATE L'UNION CANADIENNE DE MANCHESTER, N. H.

SECTION

1. Corporation constituted; powers.
2. Property.

SECTION

3. First meeting.
4. Act subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Hermogene Desrosiers, Vital Fortier, Hormidas L. Gauvin, Euclide Geoffrion, and Joseph V. Gelinas, their associates, subscribers, and assigns, be and hereby are made a body politic and corporate by the name of L'Union Canadienne de Manchester, N. H., for charitable and benevolent purposes, to provide for the sick and distressed members of the association and to establish a relief and benefit fund by means of mutual agreements and the payments of funds from which the members of the association may receive sick and funeral benefits. And said corporation may sue and be sued, defend and be defended, have and use a common seal, and shall have full power to adopt a constitution and by-laws, not repugnant to the laws of this state, and said corporation shall be vested with all the powers and privileges and be subject to all the liabilities of law incident to corporations of a similar nature.

SECT. 2. Said corporation may purchase, take, and hold by deed, gift, bequest, devise, or otherwise, real and personal estate for the purposes of the corporation to an amount not exceeding ten thousand dollars and may improve, sell, and convey or otherwise dispose of the same at pleasure.

SECT. 3. Hermogene Desrosiers, Vital Fortier, Hormidas L. Gauvin, Euclide Geoffrion, and Joseph V. Gelinas, or any three of them, may call the first meeting of the corporation at the White Hall, on Amory street, in Manchester, N. H., by personal notice, either written or printed, delivered or mailed to each member at least ten days before the meeting.

SECT. 4. The legislature may at any time alter, amend, or repeal this act whenever the public good may require.

[Approved February 20, 1901.]

CHAPTER 189.

AN ACT AUTHORIZING THE UNITED GAS & ELECTRIC COMPANY TO ACQUIRE BY PURCHASE OR OTHERWISE THE PROPERTY OF THE DOVER GAS LIGHT COMPANY AND THE BERWICK POWER COMPANY.

SECTION

1. Purchase authorized.
2. May issue bonds.

SECTION

3. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Purchase
authorized.

SECTION 1. The United Gas & Electric Company is hereby authorized to acquire, by purchase or otherwise, the franchises and property of the Dover Gas Light Company and the Berwick Power Company and, upon the acquisition of the same, to have, exercise, and enjoy all the powers and privileges of said corporations, subject, however, to all their duties and liabilities.

May issue
bonds.

SECT. 2. Said corporation, in order to refund its present indebtedness and to procure funds for the purchase of the afore-said properties, is hereby authorized to issue its bonds in an amount not exceeding five hundred thousand dollars, and secure the same by a mortgage upon its property and franchises now owned or hereafter acquired by it.

Takes effect
on passage ;
repealing
clause.

SECT. 3. This act shall take effect upon its passage, and all acts and parts of acts inconsistent with this act are hereby repealed.

[Approved February 20, 1901.]

CHAPTER 190.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 172 OF THE LAWS OF 1897, ENTITLED "AN ACT IN RELATION TO THE LACONIA ELECTRIC LIGHTING COMPANY."

SECTION 1. Charter amended; preamble; bonds legalized.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter
amended.

SECTION 1. Section 6 of chapter 172 of the Laws of 1897 is hereby amended by inserting after the word "otherwise" in the ninth line of said act the following: upon all its franchises, rights, and property, and upon all the franchises, rights, and property it may hereafter at any time acquire, so that said section shall read :

SECT. 6. For the purpose of enabling said corporation to carry on its business and to purchase real estate, rights in real estate, water rights, rights of flowage, the right to erect and maintain dams and reservoirs as aforesaid, and corporate rights and franchises as hereinafter provided, and for the carrying on its business [it] is hereby authorized and empowered to borrow such sums of money as may be necessary from time to time, and issue its notes, bonds, and obligations therefor, secured by mortgage or otherwise, upon all its franchises, rights, and property and upon all the franchises, rights, and property it may hereafter at any time acquire, as may be deemed necessary for the best interests of the corporation; such notes, bonds, or obligations to be in such denomination, bearing such dates, and payable at such time and at such a rate of interest, not exceeding six per cent, as may be fixed and determined by the corporation.

And, whereas, the Laconia Electric Lighting Company, a Preamble. corporation existing and continued by said chapter 172 of the Laws of 1897, by a clerical error in section 6 of said chapter, whereby the words franchises, rights, and property were omitted from said section, and, whereas, acting in perfect good faith the said Laconia Electric Lighting Company has issued its bonds to the amount of fifteen thousand dollars, and a trust deed to secure the condition and payment of said bonds, and said bond and deed contain the omitted words, to wit, "franchises, rights, or property," said chapter 172 is further amended by adding the following section thereto:

SECT. 9. The bonds issued by said Laconia Electric Lighting Company bearing date of November 1, 1899, for the sum of ^{Bonds} fifteen thousand dollars, and the trust deed made to secure the payment of said bonds, are hereby legalized and made of the same legal effect and power as they would have been had the words franchises, rights, and property been incorporated in section 6 of chapter 172 of the Laws of 1897, and said bonds and trust deed in accordance with the conditions therein contained are hereby made a valid lien upon the franchises, rights, and property of said Laconia Electric Lighting Company until the full amount due upon said bonds shall have been satisfied.

[Approved February 20, 1901.]

CHAPTER 191.

AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE DOVER GAS LIGHT COMPANY, PASSED AT THE JUNE SESSION, 1850.

SECTION

1. Charter amended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter
amended.

SECTION 1. The Dover Gas Light Company is hereby authorized to lease or sell and convey its franchises and property to the United Gas & Electric Company, a corporation organized under the laws of the state of New Hampshire, subject, however, to all its duties and liabilities.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 20, 1901.]

CHAPTER 192.

AN ACT TO EXTEND AND CONTINUE THE CHARTER OF THE MANCHESTER BANK FOR A TERM OF TWENTY YEARS FROM THE FIRST DAY OF JANUARY, 1902.

SECTION

1. Charter extended.

2. Act subject to repeal.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter
amended.

SECTION 1. The charter of the Manchester Bank, approved August 5, 1881, is hereby extended and continued for the term of twenty years from the first day of January, 1902, with all the powers, rights, and privileges, and subject to all the duties and liabilities which by the laws of this state are incident to corporations for the purpose of banking and which were originally granted by said charter.

Act subject
to repeal.

SECT. 2. The legislature may at any time alter, amend, or repeal this act.

Takes effect
on passage.

SECT. 3. This act shall take effect from its passage.

[Approved February 20, 1901.]

CHAPTER 193.

AN ACT TO PERMIT THE TOWN OF LITTLETON OR LITTLETON VILLAGE DISTRICT TO ESTABLISH AND MAINTAIN A BAND.

SECTION 1. May maintain a band.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The town of Littleton or Littleton Village District may at any legal meeting vote to establish, equip, and maintain a band for the purpose of giving free public band concerts, and may grant such sums of money, not exceeding four hundred dollars annually, as they deem reasonable and necessary for the purpose of equipping and maintaining a band, or in aid of free public band concerts; but no money shall be raised or appropriated at any special meeting except by vote by ballot, nor unless the ballots cast at such meeting shall be equal in number to at least one half of the number of legal voters borne on the check-list of the town at the annual or biennial election next preceding such special meeting, and such check-list may be used at such meeting and upon the request of ten legal voters of the town.

[Approved February 20, 1901.]

CHAPTER 194.

AN ACT TO CHANGE THE NAME OF THE MASONIC ORPHANS' HOME, INCORPORATED BY AN ACT APPROVED AUGUST 7, 1883, AND AMENDED BY AN ACT APPROVED FEBRUARY 23, 1897, AND FOR OTHER PURPOSES.

SECTION

1. Name changed.
2. Powers and duties.
3. Repealing clause.

SECTION

4. Act subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The name of The Masonic Orphans' Home, incorporated by an act approved August 7, 1883, amended by an act approved February 23, 1897, is changed to Masonic Home, by which name it shall hereafter be known and transact all the business of the corporation.

SECT. 2. Said corporation shall have the right and power to take and hold by purchase, gift, devise, or otherwise, real and personal estate to an amount not exceeding three hundred thousand dollars; to manage, improve, and invest, and to dispose

of and convey the same as the purposes of the corporation shall require. Said corporation is authorized and empowered to act as trustee and to receive, hold, manage, and conduct funds and property as such and to apply the same with all the powers, rights, and privileges and subject to all the duties and obligations in a similar manner as provided by law for natural persons.

Repealing
clause.

SECT. 3. All parts of said acts inconsistent with this act are hereby repealed.

Act subject
to repeal ;
takes effect
on passage.

SECT. 4. The legislature may at any time alter, amend, or repeal this act, and it shall take effect from and after its passage.

[Approved February 20, 1901.]

CHAPTER 195.

AN ACT TO AUTHORIZE THE PORTSMOUTH GAS, ELECTRIC LIGHT & POWER COMPANY TO SELL, DISPOSE OF, ASSIGN, TRANSFER, AND CONVEY ITS PROPERTY AND FRANCHISES TO THE ROCKINGHAM COUNTY LIGHT & POWER COMPANY, AND TO AUTHORIZE THE LATTER COMPANY TO BUY THEM, AND FOR OTHER PURPOSES.

SECTION

1. Sale authorized.
2. Proceedings if stockholders dissent.
3. Shares held by purchasing company.
4. Purchasing company may issue bonds.

SECTION

5. Right of eminent domain.
6. Restrictions upon purchasing company.
7. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Sale
authorized.

SECTION 1. The Portsmouth Gas, Electric Light & Power Company, a corporation organized and existing and acting under act of the legislature of this state passed June 28, 1850, as amended by acts of the legislature of this state approved July 2, 1873, and August 24, 1887, and February 25, 1897, is hereby authorized to sell, dispose of, assign, transfer, and convey to the Rockingham County Light & Power Company, a corporation organized for lawful purposes under chapter 147 of the Public Statutes and amendments thereto, all its property, estates, assets, contracts, rights, privileges, and franchises upon such terms as to cash payment or payment in stock of the Rockingham County Light & Power Company, or upon such other terms as a majority of the stockholders of the two corporations may, by votes passed at properly called meetings thereof, determine, and said Rockingham County Light & Power Company is hereby authorized and empowered to purchase, obtain, and acquire in manner aforesaid for money or by exchange of shares of its stock therefor, or otherwise, said property, estates, assets, contracts, rights, privileges, and franchises and to hold, possess, enjoy,

carry out, and exercise the same as fully as said Portsmouth Gas, Electric Light & Power Company has heretofore exercised the same, together with such other and additional rights, powers, and franchises as said Rockingham County Light & Power Company now has.

SECT. 2. If any stockholder or stockholders of said Portsmouth Gas, Electric Light & Power Company, or of said Rockingham County Light & Power Company, shall dissent from such sale and transfer and conveyance, or from such purchase and acquisition, the procedure by the corporation or corporations in which such dissenting stockholder or stockholders hold stock shall be the same as provided by chapter 156 of the Public Statutes in relation to dissenting stockholders of railroad corporations, in case of a lease. Whenever the lessee corporation would become in proceedings under said chapter 156 seized and possessed of the property, franchises, and rights of the lessor railroad, then at that point the said Rockingham County Light & Power Company shall become seized and possessed of all the property, estates, contracts, rights, privileges, and franchises of the said Portsmouth Gas, Electric Light & Power Company, in case such proceedings are had.

SECT. 3. Said Rockingham County Light & Power Company may purchase, hold, and vote upon, as an individual might, shares of the capital stock of said Portsmouth Gas, Electric Light & Power Company, and the same may sell, assign, and transfer at pleasure.

SECT. 4. To carry out the powers conferred by this act or to carry out any of the purposes of its incorporation, said Rockingham County Light & Power Company may issue its bonds secured by mortgage of its property, estate, and franchises then owned, and such as may be thereafter acquired by it, and use the money accruing from sale thereof to effectuate the purposes aforesaid, or any of them, or for any legal purpose.

SECT. 5. Said Rockingham County Light & Power Company is hereby authorized to take and hold and to purchase and hold such lands and interests in land as may be reasonably necessary to carry out the purposes and objects for which it was organized, and the procedure in such cases of taking lands and interests in land shall be the same as that provided by chapter 158, section 26, of the Public Statutes, except that the petition for appraisal of damages shall be filed in the supreme court for the county in which the land or interest in land to be taken is, and thereafterwards the proceedings upon said petition shall be the same as in case of land taken for a highway.

SECT. 6. The said Rockingham County Light & Power Company shall not, except in the city of Portsmouth and in the town of Exeter, enter into the business of lighting any town or city mentioned in its articles of agreement in which a lighting plant is in operation, unless it shall first acquire by purchase the plant and property in operation in said town or city. In case it makes such purchase it shall have with respect to the plant, property,

and franchise purchased all the franchises and privileges enumerated and set forth in its articles of agreement aforesaid.

Takes effect
on passage.

SECT. 7. This act shall take effect upon its passage.

[Approved February 20, 1901.]

CHAPTER 196.

AN ACT SEVERING THE HOMESTEAD OF CHARLES F. PENDERGAST FROM THE TOWN OF DURHAM AND ANNEXING THE SAME TO THE TOWN OF NEWMARKET FOR SCHOOL PURPOSES.

SECTION

1. Homestead severed and annexed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Homestead
severed and
annexed.

SECTION 1. That the homestead of Charles F. Pendergast is hereby severed from the school district of the town of Durham, and the said premises are hereby annexed to the school district of the town of Newmarket for school purposes.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 20, 1901.]

CHAPTER 197.

AN ACT TO ESTABLISH WATER-WORKS IN THE TOWN OF SUNAPEE.

SECTION

1. Water-works authorized.
2. Right of eminent domain.
3. Right restricted to town of Sunapee.
4. Contracts for water-supply authorized.

SECTION

5. Appropriations authorized.
6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Water-works
authorized.

SECTION 1. The town of Sunapee is hereby authorized and empowered to construct, manage, maintain, and own suitable water-works, for the purpose of introducing into and distributing through the villages in said town an adequate supply of pure water in subterranean pipes, for extinguishing fires and for the use of its citizens, and for other purposes; and for that purpose may take, purchase, and hold, in fee simple or otherwise, any

real or personal estate, and any rights therein, and water rights necessary for carrying into effect the purposes of this act, and to excavate and dig canals and ditches in any street, place, squares, passways, highways, commons, or other place through which it may be deemed necessary and proper for building said water-works, and relay, change, and repair the same at pleasure, having due regard for the safety of its citizens and security of the public travel.

SECT. 2. Said town is authorized and empowered to enter upon, take, and appropriate any streams, springs, ponds, lakes, or water rights, and to secure, by fence or otherwise, such streams, springs, ponds, lakes, or water rights, and dig ditches and canals, make excavations or reservoirs, through, over, in, or upon any land or enclosure through which it may be necessary for said aqueduct to pass, or said excavations, reservoirs, and water-works to be or exist for the purpose of obtaining, holding, preserving, or conducting such water, and placing such pipes or other materials or works as may be necessary for building and operating such aqueduct and water-works, or for repairing same; *provided*, if it shall be necessary to enter upon and appropriate any land or water rights, or any stream, spring, lake, or pond, for the purpose aforesaid, or to raise or lower the level of any stream, spring, lake, or pond, and if said town shall not agree with the owners thereof for the damage that may be done by said town, or such owners shall be unknown, said town, or said owner or party injured, may apply to the trial term of the supreme court for the county within which such stream, spring, pond, lake, water rights, or land is situate, to have the same laid out and the damages determined, and the said court shall refer the same to the county commissioners for said county, who will appoint a time and place of hearing, and give notice thereof in the same manner as is now provided by law for laying out highways, and said commissioners shall make report to said court, and said court may issue execution accordingly; if either party shall desire, they shall be entitled to trial by jury in such manner and under such regulations as the court may prescribe, in the same manner as appeals from the award of damages in the case of laying out highways.

SECT. 3. Nothing in this act contained shall be deemed to empower said town to acquire by eminent domain any real estate situate outside the limits of said town of Sunapee, or to exercise outside said limits any of the rights herein given as to use of streets, highways, and other public places.

SECT. 4. Said town is authorized and empowered to contract with individuals and corporations for supplying them with water, and to make such contracts and establish such regulations and tolls for the use of water as may from time to time be deemed proper; and for the more convenient management of said water-works the said town may, either before or after the construction of the same, place them under the direction and control of a board of water commissioners, with such powers and duties as may from time to time be prescribed by said town.

Appropriations
authorized.

SECT. 5. Said town is also authorized, at any annual or special meeting by a major vote of those present and voting, to raise and appropriate, and to borrow or hire, such sums of money on the credit of the town as may from time to time be deemed advisable, for the purpose of defraying the expense of purchasing real estate, rights in real estate, water rights, streams, springs, lakes, ponds, and rights aforesaid, and for constructing, maintaining, and operating said water-works, payable at such times and such rates of interest as may be thought proper. The purchase of real estate and water rights already made by said town, and the issue of bonds for the payment of same, are hereby ratified and confirmed.

Takes effect
on passage.

SECT. 6. This act shall take effect upon its passage.

[Approved February 20, 1901.]

CHAPTER 198.

AN ACT TO PERMIT THE COUNTY OF ROCKINGHAM TO ISSUE BONDS TO SECURE ITS FLOATING INDEBTEDNESS AND REFUND BONDS OF THE COUNTY BECOMING DUE OCTOBER 1, 1901.

SECTION

1. Issue of bonds authorized.
2. Form of bonds.

SECTION

3. Designation of bonds; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Bonds
authorized.

SECTION 1. The commissioners of the county of Rockingham are hereby authorized to issue county bonds, with coupons annexed for the annual or semi-annual interest, for a sum not exceeding thirty-five thousand dollars, in denominations of one thousand dollars each, bearing interest not exceeding three per cent per annum, and payable within twenty years from the date of issue, for the purpose of funding the floating debt of said county at the time of said issue and refunding such bonds of the county as become due October 1, 1901.

Form of
bonds.

SECT. 2. Said bonds shall be signed by the county commissioners, or two of them, countersigned by the county treasurer, and registered by the clerk of the supreme court for said county. The coupons attached to each of said bonds shall bear a fac-simile of the signatures of the county commissioners and the county treasurer engraved or printed thereon and, being so executed, shall be of the same validity as if signed by the hands of said officials.

Designation
of bonds;
act takes
effect on
passage.

SECT. 3. Said bonds shall be designated as the Rockingham county funding bonds of 1901; and this act takes effect upon its passage.

[Approved February 20, 1901.]

CHAPTER 199.

AN ACT TO INCREASE THE CAPITAL STOCK OF THE MANCHESTER
BUILDING & LOAN ASSOCIATION.

SECTION

1 Increase of capital stock.

SECTION

2. Takes effect on passage; repealing
clause.*Be it enacted by the Senate and House of Representatives in General
Court convened:*

SECTION 1. The Manchester Building & Loan Association is hereby authorized to increase its capital stock not exceeding five hundred thousand dollars. Increase
of capital
stock.

SECT. 2. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed. Takes effect
on passage;
repealing
clause.

[Approved February 20, 1901.]

CHAPTER 200.

AN ACT TO AMEND CHAPTER 241 OF THE SESSION LAWS OF 1893,
ENTITLED "AN ACT TO ESTABLISH THE CITY OF LACONIA."

SECTION

1. Ward limits defined.
2. Supervisors of check-lists.

SECTION

3. City council, how chosen.
4. Takes effect on passage.*Be it enacted by the Senate and House of Representatives in General
Court convened:*

SECTION 1. Amend said chapter as follows: Strike out all of sections 2 and 3 and insert in place thereof the following: Ward limits
defined.

SECT. 2. The said city of Laconia is hereby divided into four wards, which shall be constituted as follows, viz.:

Ward No. 1 shall include all that part of said city which now constitutes Ward No. 6.

Ward No. 2 shall include all that part of said city bounded westerly by a line commencing on the easterly shore of Round bay or Lake Opechee, where the present northwesterly boundary of Ward No. 2 as heretofore constituted commences; thence southerly by the easterly shore of Round bay or Lake Opechee and the easterly shore of the Winnepesaukee river to a point on the easterly shore of said river in the center of Main street; thence southerly through the center of Main street to a point opposite the center of Union avenue; thence northerly through the center of Union avenue to a point opposite the center of Baldwin street; thence southeasterly through the center

of Baldwin street to Baldwin-street extension; thence following the direction of the center line of said Baldwin-street extension to the Gilford town line; thence easterly and northerly by said Gilford town line and the southerly line of Ward No. 1, to the point of beginning.

Ward No. 3 shall include all that part of said city now included in Wards Nos. 1 and 3, and all that part of Ward No. 4 lying on the westerly side of the Winnepesaukee river.

Ward No. 4 shall include all that part of said city not embraced in the three before mentioned wards.

SECT. 3. Said Wards 1, 2, and 4 shall elect two representatives, and Ward 3 one representative, to the general court until such time when their constitutional rights shall entitle any of said wards to a greater number.

Supervisors
of check-lists.

SECT. 2. Strike out section 8 of said chapter and insert in place thereof the following:

SECT. 8. Wards 1, 2, 3, and 4, as hereby constituted, at every state biennial election, commencing with the biennial election in 1902, shall choose by ballot and plurality vote one supervisor of check-lists, and the city council shall also on the Wednesday next following the state biennial election in 1902, and on the Wednesday next following the state biennial election thereafter, by ballot and major vote, choose one supervisor of check-lists, who shall hold office for the term of two years. The persons thus chosen shall constitute the board of supervisors of check-lists of all the wards of the city, and the member chosen by the city council shall be chairman of the board.

All vacancies occurring in the board shall be filled by the city council. The existing board of supervisors, as elected at the state biennial election in 1900, and the chairman of said board now holding said office by vote of the city council subsequent to said biennial election, shall continue in office and constitute the board of supervisors of check-lists for said city until their successors are chosen as provided in this section and qualified.

City council
how chosen.

SECT. 3. Strike out section 15 of said chapter and insert in place thereof the following:

SECT. 15. At the annual city election on the second Tuesday of March, 1901, there shall be elected in each of said Wards 1, 2, 3, and 4, by and from the qualified voters in each of said wards, one councilman to serve for two years, and these four councilmen so chosen, together with the seven councilmen from the wards as heretofore constituted, whose terms will not have expired, shall constitute the city council until the organization of the council on the fourth Tuesday of March, 1902. At the annual city election on the second Tuesday of March, 1902, each of said Wards 1, 2, 3, and 4 shall, by and from the qualified voters of each of said wards, elect one councilman to serve for two years, and thereafter at each annual election one councilman shall be chosen by and from the qualified voters of each of said wards to serve for the term of two years.

All duties pertaining to the warning and holding of the annual city election on the second Tuesday of March, 1901, shall

be performed as follows, viz. : In Ward 1 as hereby constituted, by the proper ward officers in said ward elected in said ward known heretofore as Ward 6.

In Ward 2 as hereby constituted, by the proper ward officers in said ward elected in Ward 2 as heretofore constituted.

In Ward 3 as hereby constituted, by the proper ward officers of Ward 3, as elected in said ward as heretofore constituted.

In Ward 4 as hereby constituted, by the proper ward officers as elected in Ward 4 as heretofore constituted.

The term of office of all ward officers, except supervisors of check-lists and councilmen in Wards 1 and 5 as heretofore constituted, shall terminate and be of no effect on and after the date of the passage of this act.

SECT. 4. This act shall take effect and be in force from and after its passage. Takes effect
on passage.

[Approved February 20, 1901.]

CHAPTER 201.

AN ACT IN AMENDMENT OF SECTION 4, CHAPTER 217 OF THE PAMPHLET LAWS OF 1899, ENTITLED "AN ACT TO AUTHORIZE THE TOWN OF PETERBOROUGH TO CONSTRUCT AND MAINTAIN AN ELECTRIC LIGHT PLANT FOR LIGHTING, HEAT, OR POWER PURPOSES."

SECTION 1. Town authorized to borrow \$20,000.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 4, chapter 217 of the Pamphlet Laws of 1899 be and is hereby amended by striking out the word "fifteen" in the eleventh line of said section and inserting the word twenty in the place thereof, so that as amended said section 4 shall read : Town
authorized
to borrow
\$20,000.

SECT. 4. Said town is also authorized and empowered, at any annual meeting, by a two-thirds vote of those present and voting, to raise by taxation and appropriate, or to borrow or hire, such sums of money on the credit of the town as may be deemed necessary and expedient for the purpose of defraying the expenses of purchasing real estate, rights in real estate, water rights, power, and all other rights and property as aforesaid, and for purchasing, constructing, maintaining, repairing, extending, enlarging, and operating said electric lighting, heat, or power plant, the indebtedness created under the provisions of this section not to exceed twenty thousand dollars, and to issue notes or bonds of the town therefor in such amounts and denominations as may be thought proper, not exceeding in all the amount above stated; said loan to be issued under the provis-

ions of the Municipal Bonds Act of 1895, the whole to mature and fall due not later than twenty years from its date, and not to bear interest at a rate exceeding four per cent per annum; and said town may exempt such notes or bonds from taxation when held by inhabitants of the town, provided they shall be issued bearing interest at not exceeding three per cent per annum.

[Approved February 20, 1901.]

CHAPTER 202.

AN ACT TO LEGALIZE THE ACTION OF THE TOWN OF FARMINGTON AT ITS LAST ANNUAL MEETING, WITH REFERENCE TO DONATING MONEY TO THE FARMINGTON BOARD OF TRADE.

SECTION

1. Appropriation legalized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Appropriation
legalized.

SECTION 1. That the action of the town of Farmington at its last annual meeting, holden the thirteenth day of March, A. D. 1900, donating and appropriating the sum of twenty-five hundred dollars to the Farmington board of trade for the promotion of the business interests of the town, is hereby ratified, confirmed, legalized, and made valid.

Takes effect
on passage.

SECT. 2. That this act shall take effect upon its passage.

[Approved February 20, 1901.]

CHAPTER 203.

AN ACT TO INCORPORATE THE EXETER VETERAN FIREMEN'S ASSOCIATION.

SECTION

1. Corporation constituted; powers.
2. May hold funds as trustee.
3. Purposes of corporation.

SECTION

4. First meeting of corporation.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
powers.

SECTION 1. That George W. Green, Theodore B. Lyford, George F. Adams, George W. Gadd, Cyrus E. Robinson, Will S. Day, Joseph W. Tilton, Edward E. Nowell, George H. Gooch,

William P. Flanigan, and their associates, successors, and assigns, are incorporated and made a body politic by the name of the Exeter Veteran Firemen's Association, and under that name shall be vested with all the powers and privileges and subject to all the liabilities of corporations of a similar nature, and may hold and possess real estate and personal property for the purposes of said corporation and sell and convey the same at pleasure.

SECT. 2. It may also receive and collect funds from any legal source and hold and dispose of the same as trustee for the benefit of sick and disabled firemen, and upon the death of any such fireman for the payment of his funeral expenses and the aid of his dependent parents, widow, or children.

May hold funds as trustee.

SECT. 3. The purposes for which said association is incorporated are: to form a more perfect organization, establish harmony of action, insure prosperity and success, provide pecuniary support, secure protection, and promote the best interests of the firemen of Exeter.

Purposes of corporation.

SECT. 4. Any of the persons named herein may call the first meeting of said corporation by giving written notice to each of the others at least one week prior to such meeting.

First meeting.

SECT. 5. This act takes effect upon its passage.

Takes effect on passage.

[Approved February 20, 1901.]

CHAPTER 204.

AN ACT TO INCORPORATE THE BENEVOLENT SOCIETY OF ST. JEAN BAPTISTE OF KEENE.

SECTION

- 1. Corporation constituted.
- 2. Powers.

SECTION

- 3. First meeting.
- 4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Nelson Auger, Doler Loiselle, Colbert Auger, George Leblanc, Ferdinand Leblanc, Narcisse Leblanc, their associates and successors, be and hereby are made a body politic and corporate by the name of the Benevolent Society of St. Jean Baptiste of Keene, with headquarters at Keene in the county of Cheshire, for the purpose of creating and maintaining a fund for the relief of sick members, to render financial assistance to the widow and heirs of deceased members, to bury deceased members, and for religious, moral, and charitable purposes, with all the powers and privileges and made subject to the liabilities of corporations of a similar nature.

Corporation constituted.

- Powers.** **SECT. 2.** Said corporation shall have power to hold real and personal estate by gift, bequest, or otherwise to an amount not exceeding twenty thousand dollars, and may dispose of the same at pleasure.
- First meeting.** **SECT. 3.** Nelson Auger may call the first meeting of said corporation by giving notice, in writing, to each of the persons named in this act seven days prior to such meeting.
- Takes effect on passage.** **SECT. 4.** This act shall take effect upon its passage.
- [Approved February 20, 1901.]

CHAPTER 205.

AN ACT TO CHANGE THE NAME OF THE UPPER GILMANTON VILLAGE UNION CEMETERY ASSOCIATION, INCORPORATED AUGUST 24, 1851.

SECTION
1. Name changed.

SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name changed.

SECTION 1. That the name of the Upper Gilmanton Village Union Cemetery Association, so called, incorporated August 24, 1851, be changed to the name of Highland Cemetery.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 20, 1901.]

CHAPTER 206.

AN ACT TO INCORPORATE SOCIETE DE TEMPERANCE DE ST. JOSEPH OF SOMERSWORTH, N. H.

SECTION
1. Corporation constituted; powers.
2. First meeting.

SECTION
3. Takes effect on passage; subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; powers.

SECTION 1. That Rev. C. Demers, Michel Rousseau, Auguste Bernier, Evariste Turcotte, and Joseph Bergeron, all of Somersworth, their associates, successors, and assigns, be and hereby are made a body politic and corporate by the name of Société de Tempérance de St. Joseph of Somersworth, N. H., with authority to have and exercise all the powers and privileges

incident to corporations of a similar nature, unless limited or extended by this act, for the mutual benefit and protection of its members, for the promotion of the cause of temperance, and for such other moral, charitable, and benevolent purposes as such corporation may from time to time designate and provide, including the payment of such sums of money for sick benefits and to the personal representatives of deceased members such death benefits as said corporation may by its by-laws provide, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and may take and hold real and personal estate by donation or otherwise for the purposes of said corporation to an amount not exceeding twenty thousand dollars; and may make and establish such by-laws and regulations as may be necessary for the purposes of this act.

SECT. 2. The first three grantees may call the first meeting First meeting. of this corporation at such time and place as they may deem expedient and in such manner as they think proper.

SECT. 3. This act shall take effect upon its passage; and the legislature may at any time alter, amend, or repeal the same Takes effect on passage; subject to repeal. whenever in their opinion the public good requires it.

[Approved February 20, 1901.]

CHAPTER 207.

AN ACT TO INCORPORATE LA SOCIETE DE ST. JEAN BAPTISTE DE MANCHESTER, N. H.

SECTION

- 1. Corporation constituted; powers.
- 2. Property.
- 3. Death benefits.

SECTION

- 4. First meeting.
- 5. Subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Joseph L. D. Gamache, Alexis F. Bisson, Corporation constituted; powers. Hermogene Desrosiers, Clement Beaudet, Celestia Lefebvre, and Louis A. Levesque, their associates, subscribers, and assigns, be and are hereby made a body politic and corporate by the name of Société St. Jean Baptiste de Manchester, N. H., for charitable and benevolent purposes, to provide for the sick and distressed members of the association, and to establish a relief and benefit fund by means of mutual agreements and the payments of funds from which the members of the association may receive sick and death benefits. And said corporation may sue and be sued, defend and be defended, have and use a common seal, and shall have full power to adopt a constitution and by-

laws which may be necessary to carry out the purpose of this act, but said constitution and by-laws shall not be repugnant to the laws of this state, and shall be approved by the insurance commissioner of this state. Said corporation shall be vested with all the powers and privileges and be subject to all the liabilities of law incident to corporations of a similar nature.

Property. **SECT. 2.** Said corporation may purchase, take, and hold by deed, gift, bequest, devise, or otherwise, real and personal estate for the purposes of the corporation to an amount not exceeding fifteen thousand dollars, and may improve, use, and sell and convey, or otherwise dispose of the same at pleasure.

Death ' benefits. **SECT. 3.** No part of the money realized from the assessments made to pay death benefits shall be used for any other purpose than the paying of death benefits.

First meeting **SECT. 4.** Joseph L. D. Gamache, Alexis F. Bisson, Hermogene Desrosiers, Clement Beaudet, Celestia Lefebvre, and Louis A. Levesque, or any three of them, may call the first meeting of the corporation at the St. John Baptist Hall in Manchester, N. H., by personal notice, either written or printed, delivered or mailed to each member at least ten days before the meeting.

Subject to repeal. **SECT. 5.** The legislature may at any time alter, amend, or repeal this act whenever the public good may require.

[Approved February 20, 1901.]

CHAPTER 208.

AN ACT IN AMENDMENT OF THE CHARTER OF THE MONT VERNON & MILFORD ELECTRIC RAILWAY COMPANY.

SECTION

1. Time for construction extended.

SECTION

2. Takes effect February 15, 1901.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for construction extended.

SECTION 1. Section 11 of chapter 162 of the Session Laws of 1899 is hereby amended by striking out the words "within two years from its passage," and inserting in place thereof the words, on or before February 15, 1903, so that said section as amended shall read as follows:

Takes effect Feb. 15, 1901.

SECT. 11. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation on or before February 15, 1903.

SECT. 2. This act shall take effect February 15, 1901.

[Approved February 22, 1901.]

CHAPTER 209.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF SOMERS-
WORTH, ABOLISHING ONE BRANCH OF THE CITY GOVERNMENT.

SECTION

1. Administration vested in mayor and council; how elected.
2. Powers and duties of mayor and council.
3. Contested elections.

SECTION

4. Oaths of office.
5. City clerk; powers and duties.
6. Election of sundry city officers.
7. Verbal amendments; repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Strike out section 11 of said charter and substitute in place thereof the following:

SECT. 11. The administration of all the fiscal, prudential, and municipal affairs of said city, and the government thereof, shall be vested in one principal officer to be called the mayor, who shall be chosen annually and who shall receive a salary of two hundred dollars, who shall have the same negative upon all the acts of the council as by the Public Statutes the mayors of cities are given upon the action of the aldermen, who shall preside in the meetings of the city council, but shall have no vote except in case of an equal division, and in whose absence the council may elect one of their number chairman, who shall have all the powers and perform all the duties of mayor during his absence or disability, or during a vacancy in his office for any cause,— and one board consisting of ten members, to be called the council, and the members whereof shall be called councilmen, as follows: At the first annual election after the adoption of this act, two councilmen shall be chosen by and from the qualified voters of each ward, to serve one for one year and one for two years, and at each annual election thereafter one councilman shall be chosen by and from the qualified voters of each ward to serve for the term of two years, or until another is chosen and qualified in his place, and the mayor and council shall sit and act together and compose one body, and in their joint capacity shall be denominated the city council.

SECT. 2. Strike out section 12 and substitute in place thereof the following:

SECT. 12. The mayor and council created by this act shall have all the powers and do and perform, in reference to each other or otherwise, all the duties which mayors, boards of aldermen, and common councils of cities are by law authorized or required to do and perform, either separately or otherwise; and all provisions of statutes pertaining to the duties of boards of aldermen and common councils of cities, separately or otherwise, shall be construed to apply to the board of council created by this act unless a different intention appears.

SECT. 3. Strike out section 15 and substitute in place thereof the following:

Administration vested in mayor and council; how elected.

Powers and duties of mayor and council.

Contested elections.

SECT. 15. All votes cast at municipal elections shall be preserved by the city clerk for sixty days with the seals unbroken, except that they shall be subject during that time to the examination of the council in determining the election of its own members; and the city council shall have power to decide all cases of contested elections of persons chosen to ward offices, and for that purpose shall have power to examine the votes preserved as above, and shall proceed to recount the votes upon demand therefor made within sixty days by any person voted for at such election.

Oaths of
office.

SECT. 4. Strike out section 16 and substitute in place thereof the following:

SECT. 16. The mayor and council shall meet on the third Tuesday of March at 10 o'clock in the forenoon for the purpose of being qualified, and the oaths of office shall be administered and the records of the same shall be made in the same manner as now prescribed by chapter 48, sections 3, 4, and 5, of the Public Statutes of this state.

City clerk ;
powers and
duties.

SECT. 5. Strike out section 17 and substitute in place thereof the following:

SECT. 17. The city council shall annually on the third Tuesday of March meet and elect a city clerk, whose term of office shall continue for one year and until another shall be chosen and qualified to act in his stead, removable, however, at the pleasure of the city council. He shall perform all the duties and exercise all the powers incumbent upon or vested in him by the Public Statutes of this state.

Election of
sundry
officers.

SECT. 6. Strike out section 18 and substitute in place thereof the following:

SECT. 18. The city council first elected under this act shall meet at the time fixed by the ordinance for that purpose and shall by major vote elect three persons, legal voters of said city, to constitute a board of assessors, one to serve for the term of one year, one to serve for the term of two years, and one for the term of three years, and thereafter the city council shall annually in the month of March, and after the third Tuesday therein, elect one such person to serve as a member of said board for the term of three years.

The city council shall at the same time elect a city treasurer, a chief engineer, and assistant engineer of the fire department, a street commissioner, a city solicitor, a city physician, a tax collector, and all other officers necessary for the good government of the city, who are not chosen in the ward meetings or otherwise appointed by law. The city council shall have power to prescribe the duties and fix the compensation of all officers elected or appointed by them, and may remove any officer so elected or appointed, at the pleasure of the city council, unless his term of office is fixed by this act.

Verbal
amendments;
repealing
clause ; act
takes effect
on passage.

SECT. 7. Strike out the words "in convention" wherever they appear in section 21 of said charter, and strike out the word "councils" wherever it appears in sections 19, 20, 21, 22,

23, 24, 26, and 30 of said charter, and insert in place thereof the word council. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 23, 1901.]

CHAPTER 210.

AN ACT TO RATIFY THE LEASE OF THE AMESBURY & HAMPTON STREET RAILWAY COMPANY TO THE EXETER, HAMPTON & AMESBURY STREET RAILWAY COMPANY.

SECTION

1. Lease ratified.
2. Contracts legalized.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The lease executed on the first day of July in the year of our Lord 1900, by and between the Amesbury & Hampton Street Railway Company, a corporation duly established under the laws of the Commonwealth of Massachusetts, and the Exeter, Hampton & Amesbury Street Railway Company, a corporation duly established under the laws of the State of New Hampshire, whereby in pursuance of the provisions of chapter 182 of the acts of 1900 of the Commonwealth of Massachusetts the said Amesbury & Hampton Street Railway Company leased unto the said Exeter, Hampton & Amesbury Street Railway Company all and singular its franchises, railway, land, and other property of every description, with all the rights, privileges, easements, and appurtenances thereunto belonging, including the right to demand and receive to the lessee's own use all tolls, rents, revenues, income, and profits of the demised premises for a term of twenty-five years from the date of the said lease, is hereby legalized, ratified, affirmed, and approved. Lease ratified.

SECT. 2. All contracts entered into in accordance with the provisions of said lease by either of the parties thereto, and all actions taken by either of said parties under the terms thereof, are hereby legalized, ratified, affirmed, and approved, and shall be of the same force and effect as if said lease had been in all respects legal and valid under the laws of this state at and from the date of its execution. Contracts legalized.

SECT. 3. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 27, 1901.]

CHAPTER 211.

AN ACT TO INCORPORATE THE DEAD DIAMOND IMPROVEMENT COMPANY.

SECTION

1. Corporation constituted.
2. Capital stock.
3. Meetings.
4. Powers.
5. Toll to be charged for logs.

SECTION

6. Lien on logs for tolls.
7. First meeting.
8. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted.

SECTION 1. Wm. W. Brown, Herbert J. Brown, and Orton B. Brown, Fremont D. Bartlett, Cassius M. C. Twitchell, and their associates, successors, and assigns, are hereby constituted a body corporate by the name of the Dead Diamond Improvement Company, and as such corporation may make and adopt by-laws not inconsistent with the constitution and laws of this state, and shall be clothed with all the powers, rights, and privileges enjoyed and exercised by like corporations.

Capital stock.

SECT. 2. The capital stock of said corporation shall not be less than three thousand dollars nor more than ten thousand dollars, and shall be divided into shares of one hundred dollars each, and the amount of capital stock may be determined and fixed by vote of the stockholders and changed from time to time within the limits above named.

Meetings.

SECT. 3. The annual and all special meetings of said corporation shall be held at such times and places and upon such notice as may be provided by the by-laws of the corporation.

Powers.

SECT. 4. Said corporation may erect, purchase, maintain, and keep in repair dams on the Dead Diamond river at Hell Gate falls and McKeen falls, and such other points above McKeen falls as may be necessary for the driving of logs, with the right to improve the stream by constructing dams, side dams, booms, side booms, sluices, and other improvements which will facilitate the transportation of logs and lumber down said river, including blasting, and removal of logs, rocks, ledges, and other obstacles to log driving upon said waters, together with the right to improve the streams which flow into said river.

Tolls to be
charged
for logs.

SECT. 5. Said corporation shall be authorized and empowered to assess, levy, and collect a toll of twenty cents per thousand feet, board measure, according to customary woods scale, on all logs and lumber put into the Dead Diamond river or other streams above Hell Gate falls, and ten cents per thousand feet for all logs and lumber put into the Dead Diamond river below Hell Gate falls.

Lien on logs
for tolls.

SECT. 6. And said corporation shall have a lien upon all said logs and lumber for the payment of said tolls and charges; but the logs of any particular mark shall be holden only for the

tolls upon logs bearing such mark. And if the tolls and charges on logs and lumber to be driven down the Dead Diamond river shall not be paid within ten days after said logs and lumber shall arrive at the mouth of Dead Diamond river, said corporation may seize, wherever they may be found, a sufficient quantity of said logs and lumber to secure the tolls thereon, and proceed to sell the same at public auction in the same manner as is provided for the sale of mortgaged personal property.

SECT. 7. Any one of the above named incorporators may call the first meeting of said corporation by giving not less than six days' notice to each of the incorporators, at which meeting or at any subsequent meeting officers may be chosen, by-laws adopted, and any other business transacted that may be thought proper.

SECT. 8. The legislature may alter, amend, or repeal this act whenever the public good may require it; and this act shall take effect upon its passage.

First meeting

Subject to
repeal; takes
effect on
passage.

[Approved February 27, 1901.]

CHAPTER 212.

AN ACT TO INCORPORATE THE MERCHANTS SAVINGS BANK OF DOVER.

SECTION

1. Corporation constituted.
2. Powers and duties.
3. May hold real estate.
4. Election of trustees, etc.

SECTION

5. Trustees, duties of.
6. Who may receive salaries.
7. Meetings of corporation.
8. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Benjamin F. Kennard, Frank B. Clark, Charles S. Otis, Dudley L. Furber, Theodore W. Woodman, William W. Cushman, Walter W. Scott, Owen Coogan, J. E. Mooney, Adams T. Pierce, and Charles C. Goss, their associates and successors, and such other duly elected members as in this act provided, be and they hereby are constituted a body politic and corporate by the name of the Merchants Savings Bank, to be located at Dover, in our county of Strafford, for the purpose of establishing and maintaining a mutual savings bank, and by the name and style aforesaid may sue and be sued, prosecute and defend to final judgment and execution, and shall be vested with all the powers, rights, and privileges and subject to all the duties and liabilities which by the laws of this state are or may become incident to corporations of a like nature.

Corporation
constituted.

SECT. 2. Said corporation may receive from any person or persons, corporations or associations, disposed to enjoy the advantages of said savings bank, any deposit or deposits of money,

Powers
and duties.

not exceeding five thousand dollars from any one person, corporation, or association, and may use, manage, and improve the same for the depositors in such manner as shall be convenient or necessary for the security and profitable investment thereof; and all deposits may be withdrawn, and the net income of the deposits divided, at such reasonable times and in such manner and proportions, and subject to such equitable rules and regulations, as said corporation shall prescribe, not repugnant to the laws of this state.

May hold
real estate.

SECT. 3. Said corporation may purchase, hold, and acquire, by foreclosure of mortgage or otherwise, such real estate as savings banks are permitted to hold under the general laws of this state.

Election of
trustees, etc.

SECT. 4. Said corporation, at its first meeting under this act, and at any annual meeting thereafter, shall have power to elect, by ballot and major vote of those present, other persons as members of this corporation, not exceeding fifty, including those who are at the time of such election members thereof. At the first meeting of said corporation, and at each subsequent annual meeting, there shall be chosen in the same manner from among the members a clerk and a board of trustees, not exceeding fifteen in number, who shall hold their office until others are elected and qualified in their stead. The management of the business of said savings bank shall be committed to said trustees, under the restrictions of the by-laws of said corporation and the laws of this state. Any vacancy in the board of trustees may be filled at a special meeting of said corporation called for that purpose. Said corporation at its first meeting shall enact such by-laws for the government and management of its business as shall not be incompatible with the laws of the state, and may from time to time at the annual meetings, or at a special meeting called for that purpose, alter and amend the same; but no by-law or regulation shall take effect or be in force until the same shall have been approved by the bank commissioners. Said corporation shall at its first meeting adopt a common seal which may be changed and renewed at pleasure, and all deeds, conveyances, grants, covenants, and agreements made by the president of said bank, or any other person, acting under the authority of the board of trustees, shall be good and valid in law.

Trustees,
duties of.

SECT. 5. Said trustees shall qualify in the manner prescribed by law. They shall annually choose one of their number as president of said bank. They shall also annually choose a treasurer and such other clerks, agents, and servants as may be necessary for the proper management of the business of said bank, and may remove the same at pleasure. A majority of the trustees shall constitute a quorum.

Who may
receive
salaries.

SECT. 6. No member of the corporation shall receive any compensation for his services in said savings bank, nor derive any emolument therefrom; *provided, however*, that a reasonable compensation shall be paid to the officers of said bank, and others necessarily employed in transacting its business. No special de-

posits shall be received or special rates of interest allowed to any depositor.

SECT. 7. The first meeting of this corporation shall be called by any two of said incorporators within two years from the passage of this act by publishing a notice within one week of said meeting in any newspaper or newspapers published in said Dover; and all subsequent meetings of said corporation shall be notified by a like publication, signed by the president of said bank. Special meetings of the corporation may be called at any time by the president of said bank or any two of the trustees, but no business shall be transacted at a special meeting unless the subject thereof shall have been stated in the published notice.

Meetings of corporation.

SECT. 8. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 27, 1901.]

CHAPTER 213.

AN ACT TO INCORPORATE THE PITTSFIELD LOAN & TRUST COMPANY.

SECTION

1. Corporation constituted.
2. Capital stock.
3. Powers and duties.
4. First meeting.

SECTION

5. Taxation and supervision.
6. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Hiram A. Tuttle, Louis W. Kaime, Sherburn J. Winslow, Andrew B. Tyler, Herbert W. Dustin, Benjamin F. Kaime, M. Swain Clough, Frank H. Sargent, and Nathaniel W. Adams, and their associates, successors, and assigns, be and they are hereby incorporated and made a body corporate by the name of The Pittsfield Loan & Trust Company, to be located at Pittsfield, New Hampshire.

Corporation constituted.

SECT. 2. Said corporation shall have a capital of twenty-five thousand dollars, divided into shares of one hundred dollars each, and shall not begin business until that sum shall have been paid in cash.

Capital stock.

SECT. 3. This corporation shall be empowered with authority to have and execute all the powers and privileges incident to corporations of the same nature, for the purpose of prosecuting the business of a safe deposit and trust company; to receive on deposit or for safe keeping money and other valuables, the funds of trustees, guardians, administrators, or others; to act as trustee for

Powers and duties.

individuals and corporations, and officially, under judicial appointment by the courts of this or other states, to act as financial agent; to make and negotiate loans for itself and others; to loan, borrow, and deal in money and investment securities; and to do a general banking business; but nothing in this act shall be construed as authorizing said corporation to do a savings bank business.

First meeting. SECT. 4. The first four persons named in the first section of this act, or any three of them, shall call the first meeting of the corporation by notice in writing to each grantee, or by publishing in some newspaper printed in Pittsfield, at least ten days before the day of meeting.

Taxation and supervision. SECT. 5. The provisions of law now or hereafter in force governing the taxation of the capital stock in banks and trust companies shall apply to this corporation, and the affairs of this corporation shall be under the supervision and control of the bank commissioners.

Subject to repeal; takes effect on passage. SECT. 6. The legislature may alter, amend, or repeal this act, whenever in their opinion the public good requires it, and this act shall take effect upon its passage.

[Approved February 27, 1901.]

CHAPTER 214.

AN ACT TO INCORPORATE THE NEW HAMPSHIRE HEALTH & ACCIDENT INSURANCE COMPANY.

SECTION

1. Corporation constituted.
2. Capital stock.
3. First meeting.

SECTION

4. Adoption of by-laws.
5. Returns and taxation.
6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted.

SECTION 1. That Lyman Jackman, William M. Titcomb, Rufus N. Elwell, Thomas M. Lang, and Charles L. Jackman, and their associates, successors, and assigns, be and they hereby are incorporated and made a body politic by the name of the New Hampshire Health & Accident Insurance Company, to be located within this state where the board of directors, a majority of whom shall be residents of this state, may determine, with authority to have and exercise all the powers and privileges incident to corporations of a similar nature, for the purpose of transacting health, accident, and plate-glass insurance.

Capital stock.

SECT. 2. Said corporation shall have a capital stock of not less than ten thousand dollars, with authority to increase the same to not exceeding two hundred thousand dollars, divided into shares of ten dollars each; and may acquire and hold real

estate for its own use to the value of fifty per cent of its capital stock paid in, exclusive of such real estate as may be taken for debts, or may be held for collateral security.

SECT. 3. Said Lyman Jackman and Rufus N. Elwell, or any two of the above named corporators, may call the first meeting of the corporation, by an advertisement in some newspaper published in Concord at least seven days before the day named for such meeting. First meeting.

SECT. 4. Said corporation, at any meeting duly held, may adopt such by-laws and regulations, not repugnant to the laws of this state, as shall be convenient and necessary for the proper management of the business and concerns of the corporation, and the prosecution of health, accident, and plate-glass insurance. Adoption of by-laws.

SECT. 5. Said corporation shall make such returns as are required by law, and be taxed in the manner provided by law for the taxation of other insurance companies organized under the laws of this state. Returns and taxation.

SECT. 6. This act shall take effect on its passage. Takes effect on passage.

[Approved February 27, 1901.]

CHAPTER 215.

AN ACT IN AMENDMENT OF CHAPTER 188 OF THE LAWS OF 1899,
ENTITLED "AN ACT IN AMENDMENT OF THE CHARTER OF THE
AMORY MILLS."

SECTION
1. Error corrected.

SECTION
2. Takes effect on passage.

WHEREAS, Chapter 188 of the Laws of 1899 was in fact passed in amendment of the charter of the Amory Manufacturing Company, but the said company in said act was misnamed "The Amory Mills"; now, for the purpose of correcting said error, Preamble.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the words "Amory Mills," in the title and section 1 of said act be stricken out and the words, Amory Manufacturing Company, be substituted in place thereof. Error corrected.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 27, 1901.]

CHAPTER 216.

AN ACT AUTHORIZING THE TOWN OF SHELBURNE TO EXEMPT FROM TAXATION THE WASHINGTON HOTEL COMPANY PROPERTY FOR A TERM OF YEARS.

SECTION

1. Exemption authorized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Exemption
authorized.

SECTION 1. The town of Shelburne is hereby authorized, at any legal meeting, to exempt from taxation the Washington Hotel Company property for a term not exceeding ten years.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 27, 1901.]

CHAPTER 217.

AN ACT TO ENABLE THE TOWN OF NEWPORT TO FUND ITS DEBT BY THE ISSUE OF BONDS EXEMPT FROM TAXATION.

SECTION

1. Issue of bonds authorized.

2. Form of bonds.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Issue of bonds
authorized.

SECTION 1. The said town of Newport, for the purpose of funding and refunding its existing indebtedness, and for the extension of its water and sewer system, is hereby authorized and empowered, at any legal meeting holden therein for the purpose, by a majority of the legal voters thereof present and voting, to authorize its selectmen to hire money to the aggregate amount of one hundred and twenty-five thousand dollars, and to issue its bonds therefor, made payable not more than twenty years from their issue, bearing interest semi-annually at a rate not to exceed four per cent per annum, with interest coupons annexed; and to exempt said bonds from taxation when held by inhabitants or corporations of said town of Newport.

Form of
bonds.

SECT. 2. Said bonds shall be made payable to bearer at the office of the treasurer of the town, signed by the selectmen of the town or a majority thereof, countersigned by the treasurer for the time being, and shall have the corporate seal of the town affixed thereto. Said bonds may be in the form, so far as applicable, prescribed in chapter 43 of the Laws of 1895 called the Municipal Bonds Act of 1895, and may contain a provision for the payment, at the election of the town, on any date when

interest thereon becomes payable, written notice of such election first having been given to the holder, either personal or by post addressed to his place of abode, if known, at least fourteen days before the date specified for such payment, or by publication in two newspapers published in the county of Sullivan, three weeks successively, the last publication to be fourteen days at least before such time of payment.

SECT. 3. This act shall take effect on its passage.

Takes effect
on passage.

[Approved February 27, 1901.]

CHAPTER 218.

AN ACT IN AMENDMENT TO AN ACT TO INCORPORATE L'UNION ST.
JEAN BAPTISTE SOCIETY IN NASHUA, N. H.

SECTION 1. Charter amended.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 2 by striking out the word "fif-^{Charter amended.} teen" in the third line, and insert in place thereof the word fifty, so that the section shall read:

SECT. 2. Said corporation shall have power to hold real and personal estate by gift, bequest, or otherwise, to an amount not exceeding fifty thousand dollars, and may dispose of the same at pleasure.

[Approved February 27, 1901.]

CHAPTER 219.

AN ACT AUTHORIZING THE TOWN OF DALTON TO CONSTRUCT A FREE
BRIDGE ACROSS THE CONNECTICUT RIVER.

SECTION

1. Construction authorized.
2. Assessment of damages.
3. Funds, how raised.

SECTION

4. Liability for accident.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the town of Dalton, in the county of Coös, is hereby authorized and empowered to build and maintain a free bridge with a single span across the Connecticut river, at some convenient point near the site of the present dam of the Dalton ^{Construction authorized.}

Power Company, and to take such land as may be needed to construct and maintain said bridge with suitable approaches thereto.

Assessment
of damages.

SECT. 2. If said town shall not be able to agree with the owners of such land as may be necessary to take for the purposes aforesaid, upon the damages to be paid therefor, nor upon a committee to assess such damages, either party may apply by petition to the supreme court for the southern district of Coös county, and said court, after due notice to the parties, shall refer the same to the county commissioners for said county of Coös, who shall, upon due notice, assess said damages, and report same to said court, and judgment thereon shall be final and conclusive unless either party elects at the term of the court when said report is filed to go to the jury. Upon the trial by jury to ascertain the amount of the damages, such proceedings shall be had as are by law provided in case of ordinary highway.

Funds, how
raised.

SECT. 3. Said town is authorized to raise money by assessing taxes in the ordinary way to build said bridge, and until such time as money can be so raised, to hire money for that purpose; *provided*, the majority vote of any town meeting, duly called and held in said town, shall authorize the selectmen of said town to so hire the necessary funds to go on and construct said free bridge.

Liability for
accident.

SECT. 4. Said town shall be liable for accidents on said free bridge, same as on any other highway bridge within said town.

Takes effect
on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved February 27, 1901.]

CHAPTER 220.

AN ACT TO AMEND THE CHARTER OF THE CITY OF MANCHESTER TO
PROVIDE A SALARY FOR THE BOARD OF ALDERMEN.

SECTION

1. Salaries provided for aldermen.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Salaries
provided for
aldermen.

SECTION 1. That the charter of the city of Manchester be amended by adding after the last section thereof the following sections: The members of the board of aldermen of the city of Manchester shall be paid a compensation for time and services as follows: Three dollars for each regular or special meeting of the board, three dollars for each and every committee meeting of which they are a member, and for road hearings or hearings of any other nature in which their presence is required during

the day, three dollars per day; the bills for the above compensation to be made out by the city clerk, and in due form approved by the city auditor, at the end of each quarter of the year. The total amount to be paid to any alderman shall in no case exceed two hundred dollars per year, nor shall any alderman be paid for any meeting or hearing at which he is not present.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect on its passage.

Repealing
clause; act
takes effect
on passage.

[Approved February 28, 1901.]

CHAPTER 221.

AN ACT IN AMENDMENT OF THE CHARTER OF E. H. ROLLINS & SONS,
APPROVED AUGUST 7, 1889.

SECTION

1. Increase of capital stock.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the corporation E. H. Rollins & Sons, which was duly incorporated under the name of E. H. Rollins & Son by an act of the legislature approved August 7, 1889, said name being changed to E. H. Rollins & Sons by an act of the legislature approved March 25, 1891, is hereby authorized to increase its capital stock to six hundred thousand dollars, said increased capital stock to be divided into shares of one hundred dollars each.

Increase of
capital stock.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

Repealing
clause; takes
effect on
passage.

[Approved February 28, 1901.]

CHAPTER 222.

AN ACT TO CONTINUE AND CONFIRM THE ORGANIZATION AND CHARTER OF THE EASTERN FIRE INSURANCE COMPANY OF NEW HAMPSHIRE.

SECTION

1. Charter confirmed.
2. First meeting.

SECTION

3. No additional fee.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The charter of the Eastern Fire Insurance Company of New Hampshire, granted at January session, 1893, of

Charter
confirmed.

the New Hampshire legislature, and the organization under said charter, is hereby confirmed.

First meeting.

SECT. 2. The records of the organization of said corporation having been lost, the first meeting of said corporation may be held in accordance with said charter within one year from the date hereof with the same force and validity as if held within three years after the granting of said charter.

No additional fee.

SECT. 3. No additional charter fee shall be required.

[Approved February 28, 1901.]

CHAPTER 223.

AN ACT TO INCORPORATE THE CITY SAVINGS BANK OF BERLIN.

SECTION

1. Corporation constituted.
2. Powers and duties.
3. May hold real estate.
4. Election of trustees, etc.

SECTION

5. Trustees, duties of.
6. Who may receive salaries.
7. First meeting.
8. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted.

SECTION 1. That C. M. C. Twitchell and J. S. Phipps of Milan, George E. Clarke of Gorham, John B. Gilbert, John B. Noyes, A. M. Stahl, George E. Burgess, John Goebel, F. D. Bartlett, Lewis A. Hutchinson, and Charles N. Hodgdon, all of Berlin, their associates and successors, and such other duly elected members as in this act provided, be and they hereby are constituted a body politic and corporate by the name of the City Savings Bank of Berlin, to be located at Berlin, in our county of Coös, for the purpose of establishing and maintaining a mutual savings bank, and by the name and style aforesaid may sue and be sued, prosecute and defend to final judgment and execution, and shall be vested with all the powers, rights, and privileges, and subject to all the duties and liabilities which by the laws of this state are or may become incident to corporations of a like nature.

Powers and duties

SECT. 2. Said corporation may receive from any person or persons, corporations or associations, disposed to enjoy the advantages of said savings bank, any deposit or deposits of money, not exceeding five thousand dollars from any one person, except when made for the purpose of creating a sinking fund, subject to the by-laws of said savings bank; and may manage, use, and improve the same for the benefit of the depositors in such manner as shall be convenient or necessary for the security and profitable investment thereof, under the restrictions of the laws regulating the investment and management of such

funds; and all deposits, together with the net income and profits, may be withdrawn at such reasonable times, in such manner and proportions, and subject to such equitable rules and regulations, as said corporation may from time to time by its by-laws prescribe, not incompatible with the laws of the state.

SECT. 3. Said corporation may purchase, hold, and acquire, ^{May hold real estate.} by foreclosure of mortgage or otherwise, such real estate as savings banks are permitted to hold under the general laws of this state.

SECT. 4. Said corporation, at its first meeting under this act, ^{Election of trustees, etc.} and at any annual meeting thereafter, shall have power to elect, by ballot and major vote of those present, other persons as members of this corporation, not exceeding fifty, including those who are at the time of such election members thereof. At the first meeting of said corporation, and at each subsequent annual meeting, there shall be chosen in the same manner, from among the members, a clerk and a board of trustees, not exceeding fifteen in number, who shall hold their office until others are elected and qualified in their stead. The management of the business of said savings bank shall be committed to said trustees under the restrictions of the by-laws and the laws of the state. Any vacancy in the board of trustees may be filled at a special meeting of said corporation called for that purpose. Said corporation, at its first meeting, shall enact such by-laws for the government and management of its business as shall not be incompatible with the laws of the state, and may from time to time, at the annual meetings or at a special meeting called for that purpose, alter and amend the same; but no by-law or regulation shall take effect or be in force until the same shall have been approved by the bank commissioners. Said corporation shall at its first meeting adopt a common seal, which may be changed and renewed at pleasure, and all deeds, conveyances, grants, covenants, and agreements made by the president of said bank, or any other person, acting under the authority of the board of trustees, shall be good and valid in law.

SECT. 5. Said trustees shall qualify in the manner pre- ^{Trustees, duties of.} scribed by law. They shall annually choose one of their number as president of said bank. They shall also annually choose a treasurer and such other officers, clerks, agents, and servants as may be necessary for the proper management of the business of said bank, and may remove the same at pleasure. A majority of the trustees shall constitute a quorum.

SECT. 6. No member of the corporation shall receive any ^{Who may receive salaries.} compensation for his services in said savings bank, nor derive any emolument therefrom; *provided, however*, that a reasonable compensation shall be paid to the officers of said bank and others necessarily employed in transacting its business. No special deposits shall be received or special rates of interest allowed to any depositor, but all the profits arising from said business shall be equitably divided among the depositors at such times and in such manner as the trustees may determine, after deducting

therefrom the necessary charges and expenses and a proper sum for the establishment of a guaranty fund.

First meeting. SECT. 7. The first meeting of this corporation shall be called by any two of said incorporators, within two years from the passage of this act, by publishing a notice within one week of said meeting in some newspaper published in Berlin; and all subsequent meetings of said corporation shall be notified by a like publication or by written or printed notices mailed to each member of said corporation signed by the president of said bank. Special meetings of the corporation may be called at any time by the president or any three of the trustees, but no business shall be transacted at a special meeting unless the subject thereof shall have been stated in the call for said meeting.

Takes effect on passage.

SECT. 8. This act shall take effect on its passage.

[Approved February 28, 1901.]

CHAPTER 224.

AN ACT AUTHORIZING THE COCHECO MANUFACTURING COMPANY TO CONSTRUCT AND MAINTAIN A RAILROAD FROM ITS PLANT IN THE CITY OF DOVER TO THE TRACKS OF THE BOSTON & MAINE RAILROAD IN SAID DOVER, FOR THE PURPOSE OF SHIPPING FREIGHT TO AND FROM SAID BOSTON & MAINE RAILROAD.

SECTION

1. Construction authorized; route.
2. How laid out.
3. Repair of highways; liability.
4. Obstruction of railroad or highway, penalty.

SECTION

5. City may take up street for repair.
6. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Construction authorized; route.

SECTION 1. The Cocheco Manufacturing Company is hereby authorized to construct, operate, and maintain a railroad from some convenient point on the line of the Portsmouth & Dover branch of the Boston & Maine Railroad in the city of Dover, over and upon First street, across Central avenue, to and through the yards of said Cocheco Manufacturing Company, over and upon Washington, Payne, and Main streets in said Dover, to connect with its print works, coal sheds, and the storehouses of said company, and to erect and maintain in any such highway poles and wires and all necessary appliances to operate said road by electricity or any motive power except steam; said company to have also the right to erect and maintain over and upon said streets wires for the purpose of operating a system of overhead wire freight transportation.

SECT. 2. Said railroad shall be laid out by the mayor and aldermen of said Dover in like manner as highways are laid out, and notice shall be given to all landowners abutting on the streets or highways through which said railroad shall pass, of the time and place of hearing in reference to such laying out, by publication in such of the newspapers published in said Dover as the mayor and aldermen shall direct, fifteen days at least before said day of hearing, and they shall determine the distance at which the track shall be laid from the sidewalk, the location of poles, wires, and other appliances. How laid out.

SECT. 3. Said corporation shall keep in repair such portion of the streets or highways as are occupied by their tracks, and shall be liable to pay for any loss or damage arising by reason of the negligence, carelessness, or misconduct of its agents or servants, and in case any recovery is had against said city of Dover for defect or want of repair in or use of said railroad, said corporation shall be liable to pay the same with all reasonable costs and expenses. Repairs of highways; liability.

SECT. 4. Any person willfully or maliciously obstructing said corporation in the use of said railroad or the passage of any carriages thereon, or who shall aid, abet, or counsel the same, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, and if said corporation, its agents or servants, willfully or maliciously obstruct any highway, they shall be punished by fine not exceeding five hundred dollars. Obstruction of railroad or highway; penalty.

SECT. 5. Said city shall have the power to take up the street, through or across which the railroad may pass, for the same purposes and in the same manner they may now do, doing no unnecessary damage to the railroad. City may take up street for repair.

SECT. 6. The legislature may alter, amend, or repeal this act whenever in their opinion the public good may require; and this act shall take effect on its passage. Subject to repeal; takes effect on passage.

[Approved February 28, 1901.]

CHAPTER 225.

AN ACT TO DEFINE, ENLARGE, AND CONFIRM THE POWERS OF THE
VILLAGE PRECINCT OF HANOVER.

SECTION

1. Adoption of act.
2. Special precinct meeting.
3. Powers of precinct.
4. Officers and duties.
5. Additional powers.
6. Chief engineer and assistants.
7. Highway and sewer taxes.
8. Taxes, how voted and collected.
9. Borrowing money.
10. Bond of treasurer.

SECTION

11. Reports of commissioners; audit of accounts.
12. Fiscal year; annual meeting.
13. Check-list.
14. Issue of bonds confirmed; annual tax to pay directed.
15. Precinct a corporation.
16. When act takes effect; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Adoption
of act.

SECTION 1. The village precinct of Hanover, comprising school district No. 1 of said town, established under laws heretofore in force, may adopt the provisions of this act at its annual meeting, or at any special meeting called for that purpose, and thereupon shall be invested with all the powers specified therein, and shall be governed thereby.

Special
precinct
meeting.

SECT. 2. The said special meeting for the adoption of this act may be called by any justice of the peace, upon the petition of ten or more legal voters in said precinct, in the same manner as town meetings may be called by a justice of the peace.

Powers of
precinct.

SECT. 3. The said precinct shall have all the rights and be subject to all the liabilities now belonging to it, and shall have all the powers granted to village districts under chapter 53 of the Public Statutes, including the extinguishment of fires, the lighting and sprinkling of streets, the planting and caring for shade and ornamental trees, the supply of water for domestic and fire purposes, the construction and maintenance of sidewalks and main drains or common sewers, and the appointing and employing of watchmen and police officers, and the said precinct shall have all the powers in relation to these objects that towns have or may have in relation to like objects, and all that are necessary for the accomplishment of its purposes.

Officers
and duties.

SECT. 4. The legal voters of said precinct, at each annual meeting, shall elect by ballot a moderator, a clerk, a treasurer, an auditor, and three commissioners, all of whom shall be residents of the precinct. All of said officers shall be elected by a majority vote of all the legal voters present and voting at the annual meeting. The moderator, clerk, treasurer, and auditor shall hold their offices for one year and until their successors are chosen or appointed and qualified. At the annual meeting at which this act shall be adopted, or, if it shall be adopted at a special meeting, at the next annual meeting thereafter, one commissioner shall be elected to serve for one year, one for two years, and one for three years, and thereafter at each annual

meeting one commissioner shall be elected to serve for a term of three years. The moderator, clerk, treasurer, and commissioners shall severally qualify, and possess the same powers and perform the same duties in respect to the precinct's meetings and business affairs that the moderator, clerk, treasurer, and selectmen of towns respectively possess and perform in respect to like matters in towns. The commissioners shall fill vacancies in the offices of clerk and treasurer and in their own board in the same manner as selectmen are required to fill vacancies in corresponding town offices.

SECT. 5. The commissioners shall have, within the precinct, ^{Additional powers.} all the powers conferred by existing law upon the mayor and aldermen of cities respecting highways, sidewalks, and sewers; all the powers of city councils to regulate the use of public highways, sidewalks, and commons, as prescribed in section 10, subsection 7, chapter 50 of the Public Statutes; all the powers of selectmen of towns respecting the locating and licensing of lines, of wire, poles, and other structures of telegraph, telephone, electric light, and electric power companies, as prescribed in chapter 81 of the Public Statutes, and respecting the granting of permits for riding bicycles without limit of speed, as prescribed in chapter 93 of the Laws of 1897, and respecting the protection and preservation of ornamental and shade trees, as prescribed in chapter 40 of the Public Statutes and chapter 85 of the Laws of 1895; all the powers of firewards as prescribed in chapter 115 of the Public Statutes, and of city councils as prescribed by section 10, subsection 8, chapter 50 of the Public Statutes; and all the powers of health officers of towns as prescribed in chapter 108 of the Public Statutes, and of city councils as prescribed in section 10, subsection 13, chapter 50 of the Public Statutes. The commissioners shall control and direct the expenditure of all moneys raised under authority of the precinct and by the town for expenditure in the precinct. They shall have sole authority to appoint a highway surveyor in said precinct, and in default of such appointment shall themselves perform the duties of that office. The surveyor or commissioners performing the duties of highway surveyor in the precinct shall give bond to the town to account for all money coming into their hands and for the proper care and custody of the property of the town or precinct which may come into their custody or control, and shall be deemed officers of the town. Nothing in this act shall be construed to impose any distinct or special liability upon the precinct respecting highways which is not by law imposed on any other highway district in said town.

SECT. 6. The commissioners may, if they think proper, appoint a chief engineer and two assistant engineers, who shall perform at fires the duties now devolving upon firewards, or fire engineers. The clerk of the precinct shall forthwith, after any election of firewards or engineers, report their names and post-office addresses to the town clerk. ^{Chief engineer and assistants.}

SECT. 7. The precinct at its annual meeting shall determine ^{Highway and sewer taxes.} what amount of money in addition to the highway taxes to be

levied by the authority of the town shall be raised in the precinct, and what amount shall be raised for sewers. All taxes for sidewalks, highways, and sewers in the precinct shall be raised in money, whether by authority of the town or precinct; *provided*, that nothing in this act shall be construed to derogate from the powers and duties of the town and selectmen to provide for ordinary and extraordinary repairs of bridges, culverts, highways, and embankments, and for the construction of new highways that may be laid out in the town.

Taxes, how
voted and
collected.

SECT. 8. The said precinct may vote to raise money at any legal meeting, in addition to the amount raised by the town, for expenditure in the precinct for any lawful purposes, including the making and repairing of highways, sidewalks, and sewers in the precinct, to purchase materials, tools, and apparatus, to purchase and lease land and buildings, to erect suitable buildings for the use of the precinct, but the land purchased for the precinct buildings and storage of its property shall not exceed one half acre. All votes to raise money by taxation shall be certified by the clerk of the precinct and transmitted within ten days to the selectmen of the town, and the sums so voted shall be assessed, collected, and paid over from the town treasury upon the order of the selectmen to the treasurer of the precinct. The power to abate and correct the assessment of such taxes shall belong to the board authorized to assess them, and aggrieved parties shall have the same remedies for relief as in case of town taxes. The commissioners shall draw orders upon the treasurer of the precinct for the payment of all accounts and claims against the precinct allowed by them, and take proper vouchers therefor. All highway and sewerage taxes levied in the precinct shall be collected in money by the collector of other taxes in town, and, in the first instance, paid into the town treasury. A separate account of the same shall be kept by the town treasurer, but said funds shall be expended and accounted for by the precinct commissioners.

Borrowing
money.

SECT. 9. The commissioners, upon authority given them by vote of the precinct at any annual meeting or special meeting called for that purpose, may borrow money upon the credit of the precinct, to be used only for the purposes of the precinct, upon such time of credit, at such rate of interest, and to such an amount, as may by vote of the precinct be specially authorized.

Bond of
treasurer.

SECT. 10. The precinct treasurer shall within six days after his election or appointment, and before entering upon the duties of his office, give bond to the precinct, with sufficient sureties to the acceptance of the precinct or the commissioners for the faithful performance of his official duty, in form like that of county officers, and in default thereof the office shall be vacant.

Reports of
commission-
ers; audit
of accounts.

SECT. 11. The precinct commissioners shall annually prepare and submit in printed pamphlets a detailed account of all their transactions, their receipts and expenditures, with itemized statements of the prices paid for labor and material, to whom, for whom, and for what all such payments have been made, a state-

ment of the indebtedness of the precinct, if any exists, and of all outstanding bills due or claimed to be due against the precinct at the close of the fiscal year. Such accounts shall be audited by the precinct auditor before the first day of March in each year, and in his report said auditor shall specify any illegal expenditures that he may find in the transactions of the commissioners or of the surveyor of the precinct.

SECT. 12. The fiscal year for the precinct shall end on the 15th day of February. The annual meeting shall be holden in the month of March after the second Tuesday. In case of the neglect or refusal of the commissioners to warn a meeting or insert an article in a warrant, or of failure to hold an annual meeting within the period limited by this act, it shall be called and warned in the same manner as in like cases in towns. Fiscal year; annual meeting.

SECT. 13. Upon petition of ten or more legal voters to the commissioners of the precinct, they shall prepare, post, and correct a check-list of the legal voters of the precinct for use at any meeting, as supervisors of check-lists are required to do in case of towns; and such check-list may be used in the election of officers, or otherwise, as a check-list may be used in town meetings. Check-list.

SECT. 14. The proceedings of said precinct in adopting the provisions of section 4 of chapter 290 of the Laws of 1893, empowering it to subscribe for stock of the Hanover Water-Works Company and to make contracts with said company for the use of its water for extinguishing fires and for such other purposes as may be deemed expedient, and to pay for said stock by borrowing money and issuing bonds therefor, are hereby ratified and confirmed; and all subsequent proceedings of said precinct, and its officers thereunder, are hereby ratified, confirmed, and legalized, and the said precinct shall raise by an annual tax the amount necessary to pay the interest on any of said notes or bonds outstanding, together with such further sum as may be necessary to redeem and cancel said notes and bonds as they may become due. Issue of bonds confirmed; annual tax to pay directed.

SECT. 15. The village precinct of Hanover is declared to be a municipal corporation within the meaning of the municipal bonds act, 1895, and to have the power and authority vested in municipal corporations by the said act. Precinct a corporation.

SECT. 16. This act shall take effect upon its adoption by said precinct, except that if it shall be adopted at any special meeting, the terms of office of all persons then holding precinct offices in said precinct shall continue until its next annual meeting; and thereupon all acts and parts of acts inconsistent herewith shall be repealed so far as they or any of them shall be applicable to said precinct. When act takes effect; repealing clause.

[Approved March 6, 1901.]

CHAPTER 226.

AN ACT TO AUTHORIZE THE EXTENSION OF A SIDE TRACK IN MANCHESTER.

SECTION

1. Track authorized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Track
authorized.

SECTION 1. That for the accommodation of the abutting or adjoining landowners, the Concord Railroad, or the Boston & Maine Railroad, lessee of the Concord Railroad, is hereby authorized to extend its side track from the south line of Auburn street in the city of Manchester northerly over and along the westerly side of Franklin street to the southerly side of Granite street in said city.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 6, 1901.]

CHAPTER 227.

AN ACT TO UNITE THE ROCHESTER STREET RAILROAD COMPANY AND THE UNION ELECTRIC RAILWAY INTO ONE CORPORATION, TO BE KNOWN AS THE DOVER, SOMERSWORTH & ROCHESTER STREET RAILWAY COMPANY.

SECTION

1. Corporation constituted.
2. Authorized to acquire certain street railways.
3. Transfer by certain street railways authorized.

SECTION

4. Capital stock; bonds.
5. May make by-laws.
6. First meeting.
7. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted.

SECTION 1. That Sumner Wallace, Albert Wallace, George E. Wallace, J. F. Springfield, Elisha R. Brown, Thomas H. Dearborn, George D. Barrett, Charles H. Fish, Arthur G. Whittemore, Rufus N. Elwell, Wallace D. Lovell, A. S. McReel, and Edwin L. Pride, their associates, successors, and assigns, are hereby made a body politic and corporate by the name of Dover, Somersworth & Rochester Street Railway Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are invested with all the powers and privileges, and made subject to

all the liabilities under the laws of this state, which are applicable to said corporation.

SECT. 2. Said corporation is hereby authorized at any time within two years from the date of the passage of this act, to acquire by contract all the property, assets, and franchises of the Rochester Street Railroad Company, a corporation duly chartered by an act of the legislature approved July 17, 1889, and all the property, assets, and franchises of the Union Electric Railway, a corporation originally chartered under the name of the Union Street Railroad Company by an act of the legislature approved August 9, 1889, and subsequently reincorporated by the title, Union Electric Railway, under the provisions of chapter 52 of the Laws of 1895, as appears from the record in the office of the secretary of state of New Hampshire, filed February 19, 1897, upon such terms as may be agreed upon by said Dover, Somersworth & Rochester Street Railway Company, said Rochester Street Railroad Company, and said Union Electric Railway, and upon execution of such contract said Dover, Somersworth & Rochester Street Railway Company shall have and enjoy all the franchises, rights, and powers of the said Rochester Street Railroad Company, and the said Union Street Railroad Company, and Union Electric Railway, together with the same rights of extension and franchises, rights, and powers in relation thereto necessary and convenient for the maintenance and operation of said Dover, Somersworth & Rochester Street Railway Company; subject, nevertheless, to any limitations in the respective charters, and to all provisions in the statutes applicable thereto not inconsistent with this act; it being the intent of this act to authorize the said Rochester Street Railroad Company and the corporation now known as the Union Electric Railway and formerly known as the Union Street Railroad Company to unite and merge the property, assets, and franchises of said corporations into the corporation to be known as the Dover, Somersworth & Rochester Street Railway Company created by this act.

SECT. 3. The said Rochester Street Railroad Company and the said Union Electric Railway are each hereby authorized and empowered to transfer and convey by contract all the property, assets, and franchises of each of said corporations to said Dover, Somersworth & Rochester Street Railway Company upon such terms as may be agreed upon by said corporations and as will enable said Dover, Somersworth & Rochester Street Railway Company to maintain and operate the street railways now owned and operated by said corporations and all extensions thereof, and to use and exercise all the franchises and powers thereof as fully and completely as each of the said corporations may now or in any case could if no contract was made.

SECT. 4. The capital stock of this corporation shall not exceed the sum of three hundred thousand dollars, to be divided into shares of one hundred dollars each, except that said corporation may increase its capital stock, subject to the general laws

Authorized
to acquire
certain street
railways.

Transfer by
certain street
railways
authorized.

Capital stock;
bonds.

applicable to such increase. Said capital stock shall be issued to such amount as may be approved by the board of railroad commissioners, subject to and in accordance with the provisions of section 17, chapter 27 of the Laws of 1895, and all amendments thereto. Said corporation may from time to time issue coupon or registered bonds to provide means for construction and equipment and for funding so much of the floating debt as may have been incurred for construction; or for the purchase of such real or personal estate as may have been necessary or convenient for the operation of its road or plant or for the purpose of refunding its funded debt, or that of either of the companies authorized to be united under this act, or renewing or retiring the funded debt of either of the companies to be united under this act, or to provide means for building and equipping branches, extensions, or additions, to such amount and upon such terms as may be approved by the board of railroad commissioners, and subject to and in accordance with the provisions of section 17, chapter 27 of the Laws of 1895, and all amendments thereto. To secure the payment of such bonds, with interest thereon, said corporation may make a mortgage or mortgages of its road and franchises and any part of its other property and may include in any such mortgage property thereafter to be acquired.

May make
by-laws.

SECT. 5. Said corporation may make such by-laws as may be required, not inconsistent with the laws of the state, and may fix the time and place for holding the annual meeting.

First meeting.

SECT. 6. Any seven of the persons named as grantees may call the first meeting by publishing notice thereof in two newspapers, one printed at Dover, N. H., and the other at Rochester, N. H., said notices to be published at least two weeks prior to the time of said meeting, at which meeting, or any adjournment thereof, by-laws may be adopted and directors chosen who shall hold office until the first annual meeting thereafter or until their successors are chosen at a meeting of the stockholders legally called.

Subject to
repeal; takes
effect on
passage.

SECT. 7. The legislature may alter, amend, or repeal this act whenever in its opinion the public good may require, and this act shall take effect upon its passage.

[Approved March 7, 1901.]

CHAPTER 228.

AN ACT TO INCORPORATE THE HAVERHILL, PLAISTOW & NEWTON
STREET RAILWAY COMPANY.

SECTION

1. Corporation constituted; powers and purposes.
2. Capital stock.
3. How laid out in highways.
4. How laid out elsewhere.
5. Location of tracks.
6. Selectmen may make certain regulations.

SECTION

7. Rights reserved to towns.
8. Company to keep highways in repair.
9. Subject to general law.
10. First meeting.
11. Takes effect on passage; void as to parts not built in two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That A. J. Sawyer, B. F. Wakefield, J. E. Hayford, Irving M. Heath, A. W. Sargent, D. F. Wilder, all of Newton, Charles W. Cass, Fred P. Hill, John Duffell, Moses B. Dow, Hilaire Golbert, Benjamin G. Farnsworth, all of Plaistow, Warren Brown of Hampton Falls, R. N. Elwell and A. E. McReel of Exeter, W. D. Lovell of Boston, and R. D. Hood of Hampton, their associates, successors, and assigns, are hereby made a corporation by the name of the Haverhill, Plaistow & Newton Street Railway Company, with power to construct, maintain, and operate a railway with convenient sidings, poles, wires, turnouts, and switches from some convenient point in the town of Newton, beginning at the state line between the states of New Hampshire and Massachusetts, and thence running through and in said town of Newton, through and in the town of South Hampton, and through and in the town of Newton, and through and in the town of Plaistow, to some convenient point in the town of Plaistow at the state line between the states of New Hampshire and Massachusetts; and in said towns said street railway may be constructed upon and over such highways and lands as may be necessary; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of chapter 27, section 17, Laws of 1895. Any mort-

gages made by this corporation may include after-acquired property and franchises as well as those existing.

How laid out
in highways.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town; and after a public hearing of all persons interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change; but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

How laid out
elsewhere.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have, respectively, all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

Location of
tracks.

SECT. 5. The selectmen of the towns through which said railway shall pass, shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Selectmen
may make
certain regu-
lations.

SECT. 6. The selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations, with reference to that

portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operating said railway, the construction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interests or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established and all locations made by the selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall, upon notice, hear the parties and finally determine the questions raised by said appeal.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation. Rights reserved to towns.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioners, road commissioners, or surveyor of highways, in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its track; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in construction, management, or use of its tracks. Company to keep highways in repair.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein. Subject to general law.

SECT. 10. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting. First meeting.

SECT. 11. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage. Takes effect on passage; void as to parts not built in two years.

[Approved March 7, 1901.]

CHAPTER 229.

AN ACT TO INCORPORATE THE PORTSMOUTH & EXETER STREET RAILWAY COMPANY.

SECTION

1. Corporation constituted; powers and purposes; route.
2. Capital stock.
3. How located in highways.
4. How located elsewhere.
5. Location of tracks.
6. Selectmen may make certain regulations.

SECTION

7. Rights reserved to towns.
8. Company to keep highways in repair.
9. Subject to general law.
10. First meeting.
11. Takes effect on passage; void as to parts not built in two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; powers and purposes; route.

SECTION 1. That John Templeton, Eben Folsom, R. N. Elwell, A. E. McReel, A. S. Wetherell, William Burlingame, Frank O. Tilton, Charles W. Taylor, and F. M. Cilley, all of Exeter, John W. Griffin of Newmarket, Herbert B. Dow and Samuel W. Emery of Portsmouth, Warren Brown of Hampton Falls, Wallace D. Lovell of Newton, Massachusetts, and E. R. Hastings of Boston, Massachusetts, their successors, associates, and assigns, are hereby made a corporation by the name of the Portsmouth & Exeter Street Railway Company, with power to construct, maintain, and operate a railway with convenient sidings, poles, wires, turnouts, and switches from some point on High street opposite Portsmouth avenue in the town of Exeter at the track of the Exeter, Hampton & Amesbury Street Railway Company, connecting there with such track, thence running through the towns of Exeter, Stratham, and Greenland and the city of Portsmouth to a terminal point in the city of Portsmouth. Said terminal point in the city of Portsmouth shall be ascertained and is fixed as follows: If the Boston & Maine Railroad shall before October 20, 1901, construct and build and have in condition for operating a line extending from the present terminus of its electric railroad to Portsmouth Plains, then the terminus of said Portsmouth & Exeter Street Railway shall be at some convenient point in the track of said Boston & Maine Electric Railroad in the highway at Portsmouth Plains, but in case the said Boston & Maine Electric Railroad extension to said Plains is not built and extended to Portsmouth Plains and ready for operation by October 20, 1901, then the said Portsmouth & Exeter Street Railway Company's railroad shall have its Portsmouth terminus at the track of the said Boston & Maine Electric Railroad at the junction or intersection of Middle and Lafayette roads in said Portsmouth, running to reach that point through the Plains and Middle roads. At whatever point the terminus in Portsmouth is finally fixed, at such terminal point the Portsmouth & Exeter Street Railway Company may make connection with its track with said Boston & Maine Electric

Railroad. In said towns of Exeter, Stratham, and Greenland said street railway may be constructed in and over such public highways and private lands as may be necessary; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of chapter 27, section 17, Laws of 1895. Capital stock.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town; and after a public hearing of all persons interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change; but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways. How located
in highways.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and How located
elsewhere.

privileges, and be subject to all the duties, restrictions, and liabilities contained in said chapter.

Location of
tracks.

SECT. 5. The selectmen of the towns through which said railway shall pass shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side tracks, turnouts, and poles for said railway and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Selectmen
may make
certain
regulations.

SECT. 6. The selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operating said railway, the construction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interests or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established and all locations made by the selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established, to the board of railroad commissioners, who shall upon notice hear the parties and finally determine the questions raised by said appeal.

Rights
reserved to
towns.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Company to
keep
highways in
repair.

SECT. 8. Said railway corporation shall keep in repair to the satisfaction of the superintendent of streets, street commissioners, road commissioners, or surveyor of highways, in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in construction, management, or use of its tracks.

Subject to
general law.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 10. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting.

SECT. 11. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage. Takes effect on passage; void as to parts not built in two years.

[Approved March 7, 1901.]

CHAPTER 230.

AN ACT TO AUTHORIZE THE TOWN OF LISBON TO ISSUE BONDS FOR THE PURPOSE OF PURCHASING OR TAKING LAND AND ERECTING THEREON A TOWN BUILDING.

SECTION

1. Issue of bonds authorized.
2. Right of eminent domain.

SECTION

3. Action by town required.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The town of Lisbon is hereby authorized to erect for the use of the town a building of such size and proportion as it may determine on, and may rent such parts thereof as are not required for town purposes to any private library association existing in said town or to any other association, corporation, or individual, on such terms and for such lawful purposes as the selectmen may determine upon; and for the purpose aforesaid and for the purpose of securing a suitable plot of land therefor, may issue negotiable notes or bonds of said town, not exceeding thirty thousand dollars. Said bonds shall be payable in twenty years from their date and redeemable after ten years at the option of the town, and shall bear interest at a rate not exceeding four per cent per annum, and shall be signed by the selectmen and countersigned by the treasurer of said town. All bonds purporting to be issued by virtue or in pursuance of this act, and signed as hereinbefore provided, shall, in favor of *bona fide* holders, be conclusively presumed to have been duly and regularly authorized and issued in accordance with the provisions herein contained, and no such holder shall be obliged to see to the existence of the purpose of the issue, or to the regularity of any proceedings, or to the application of the proceeds of such issue. Issue of bonds authorized.

SECT. 2. Said town shall have the right to proceed and condemn land for the purpose aforesaid, if it cannot agree with the owner or owners thereof, in the same manner as land is taken for the purpose of a public park. Right of eminent domain.

SECT. 3. Nothing in this act shall be construed to authorize any proceeding under the same except upon vote of the town at a meeting regularly called for the purpose. Action by town required

SECT. 4. This act shall take effect from its passage.

Takes effect on passage.

[Approved March 7, 1901.]

CHAPTER 231.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE HEDDING CAMP MEETING ASSOCIATION OF THE METHODIST EPISCOPAL CHURCH," PASSED JUNE 2, 1863.

SECTION

1. Annual tax authorized.
2. How collected if unpaid.
3. How expended.

SECTION

4. Unexpended taxes; books to be kept.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Annual tax
authorized.

SECTION 1. That the Hedding Camp Meeting Association may lay upon each and every one of its members who is or may become the owner of property within the grounds now or hereafter owned or controlled by said association, an annual tax or assessment, the same not to exceed one per cent upon the valuation which the assessors of the town of Epping shall place upon said property, as the basis of town taxation for the then current year.

How collected
if unpaid.

SECT. 2. That said association shall have a lien upon the property assessed for the payment of said assessment or tax, and when the owner of such property fails to pay the tax so assessed after thirty days' written notice of such assessment, the treasurer of said association may collect such assessment by auction sale of the property assessed, or so much thereof as may be necessary, subject to the right of redemption within one year upon payment of the tax with interest and the expenses of sale, notice of the sale to be given in the same manner required by law in case of sales under power of sale mortgages.

How
expended.

SECT. 3. The tax so assessed and collected shall be expended for lighting said grounds, furnishing and providing water for domestic and mechanical uses, for policing said grounds, and providing sanitary accommodations; *provided*, that in no event shall the money received from taxes as hereinbefore authorized be diverted from the purposes named in this section.

Unexpended
taxes; books
to be kept.

SECT. 4. Any moneys raised by assessment as hereinbefore authorized, and not expended during the year covered by such assessment for the purposes specified in section 3 of this act, shall be carried upon the books of the association to the credit of "Sanitary Improvements," and be applied in the following years to the purposes named; *provided*, that the books of the association shall be open to the inspection of the property owners at all times and be regularly audited at each annual meeting of the association by a representative of the tax-paying property owners.

Takes effect
on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 7, 1901.]

CHAPTER 232.

AN ACT TO CREATE THE ROMAN CATHOLIC BISHOP OF MANCHESTER
AND HIS SUCCESSORS A CORPORATION SOLE.

SECTION

1. Corporation created; succession.
2. Powers.
3. Return by present bishop to secretary of state.
4. Returns by successors.

SECTION

5. Certain conveyances to be construed as made to corporation.
6. Restrictions upon conveyance.
7. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The present Roman Catholic bishop of the diocese of Manchester and his successors in office shall be and hereby are made a body politic and corporation sole, under the name of the Roman Catholic Bishop of Manchester, and by that name the said bishop and his successors in office shall be known, and shall hereafter have succession, with all the powers, rights, and privileges prescribed, and subject to all the liabilities and limitations imposed by the Public Statutes. In the event of a vacancy in the office of bishop, owing to the decease of an incumbent, or his resignation, or transfer to another see, or should any bishop in said office be or become incapacitated from performing his duties therein, then the person regularly appointed administrator of said diocese shall, while his appointment as such administrator continues, have the same powers as are by this act conferred upon the Roman Catholic bishop of said diocese; but no person shall succeed to, or have, enjoy, or administer any of the rights, privileges, powers, or franchises herein granted or provided for, who is not a citizen of the United States of America.

SECT. 2. Said corporation shall be empowered to receive, take, and hold, by sale, gift, lease, devise, or otherwise, real and personal estate of every description, for religious, charitable, educational, and burial purposes, and to manage and dispose of the same for the religious, charitable, educational, and burial purposes of the Roman Catholic church, subject to the laws of this state and to the terms of any trust set forth in any bequest, devise, deed, or conveyance of any such estate, or which may now exist or result by implication or force of law, with such limitations as may by law govern any such trust, with full power, subject to the laws of this state and to the terms of such trusts, to convey the said estate by deed absolute, or by mortgage to secure payment of money.

SECT. 3. The present Roman Catholic bishop of Manchester shall, within one year after the passage of this act, make, sign, and make oath to a statement which he shall submit to the secretary of state, setting forth that he lawfully and regularly holds the office of Roman Catholic bishop of Manchester, and that he accepts the provisions of this act and will duly conform to them.

Corporation
created;
succession.

Powers.

Return by
present
bishop to
secretary of
state.

If it appears that the statement has been duly made, signed, and sworn to, the secretary of state shall certify that fact and his approval of the statement by his indorsement thereon. Such statement shall thereupon be filed by the person making the same, in the office of the secretary of state, who shall cause the statement, with the indorsement thereon, to be recorded, and shall thereupon issue a certificate to the person making the statement, reciting this act, the substance of the statement aforesaid, and that said Roman Catholic bishop of Manchester and his successors are legally established as and are made an existing corporation, under the name of the Roman Catholic Bishop of Manchester, with the powers, rights, and privileges, and subject to the limitations, duties, and restrictions which by law appertain thereto. The secretary shall sign the same and cause the seal of the state to be thereto affixed, and such certificate shall be conclusive evidence of the existence of such corporation. He shall also cause a record of such certificate to be made, and a certified copy of such record may be given in evidence with like effect as the original certificate.

Returns by
successors.

SECT. 4. Every successor in the office of Roman Catholic Bishop of Manchester, and every person duly appointed to administer the office for any cause, shall forthwith make, sign, and make oath to a statement, which he shall immediately file in the office of the secretary of state, setting forth that he is a citizen of the United States, that at the time of making such statement he lawfully and regularly held the office of bishop of Manchester, or the office of administrator of the diocese thereof, as the case may be, and that he has accepted said office and commenced the duties thereof; and, in addition thereto, he shall submit to the secretary of state his letter of appointment in evidence of his being bishop or administrator.

Certain
conveyances
to be con-
strued as
made to
corporation.

SECT. 5. All gifts, grants, deeds, and conveyances, and also all devises and bequests heretofore made, of property within this state, to Denis M. Bradley, or Denis M. Bradley, Bishop of Manchester, or Denis M. Bradley, Roman Catholic Bishop of Manchester, or Denis M. Bradley, Bishop of New Hampshire, with or without the prefix Rt. Rev., shall be construed, unless the contrary clearly appears from the instrument, when the terms of it and the limitations thereof shall prevail, as conveying, giving, granting, devising, or bequeathing the property in such instrument mentioned to the Roman Catholic Bishop of Manchester, and that the titles passing respectively by such instruments and now held by the Roman Catholic Bishop of Manchester, shall be and the same are hereby vested in the corporation established by this act, subject to any trust expressed in any said instrument, and to any limitations governing said trust. It being hereby provided, however, that such title shall vest in the corporation hereby established, subject to such mortgages, or encumbrances, now existing thereon.

Restrictions
upon
conveyance.

SECT. 6. It is also hereby provided that said corporation shall be regarded as holding, in trust, the property of each parish, in

said diocese, for the use and benefit of the members of such parish; and said corporation shall not convey by mortgage, or otherwise pledge, the property of any parish for the debts, or other obligations, of any other parish within the diocese; the property of each parish thereof to be only liable and subject to a mortgage or pledge to secure or satisfy debts and obligations incurred and created for the use and benefit of such parish.

SECT. 7. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 7, 1901.]

CHAPTER 233.

AN ACT TO INCORPORATE THE EXETER, HAMPTON & AMESBURY STREET RAILWAY EMPLOYEES' RELIEF ASSOCIATION.

SECTION

1. Corporation constituted.
2. Powers.
3. Purposes.

SECTION

4. First meeting.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Jack C. Herlyck, Bert Burbank, Joseph M. Burbank, Harry S. Stone, Louis P. Clark, Jerry Mahoney, John Smith, John Drysdale, and their associates, successors, and assigns, be and hereby are incorporated and made a body politic by the name of the Exeter, Hampton & Amesbury Street Railway Employees' Relief Association, and under that name shall be vested with all the powers and privileges and subject to all the liabilities of corporations of a similar nature, and may hold and possess real estate and personal property for the purposes of said corporation, and sell and convey the same at pleasure.

Corporation
constituted.

SECT. 2. Said association may receive funds from any source, and hold and dispose of the same as trustee for the aid and relief of sick and disabled members by the payment of sick benefits.

Powers.

SECT. 3. The purposes for which said association is incorporated are: to form a more perfect organization, establish harmony of action, insure prosperity and success, provide pecuniary support, secure protection, and promote the best interests of the employees of said railway.

Purposes.

SECT. 4. Any three of the persons named herein may call the first meeting of said corporation by giving notice to each of the others at least one week prior to such meeting.

First meeting.

SECT. 5. This act takes effect upon its passage.

Takes effect
on passage.

[Approved March 7, 1901.]

CHAPTER 234.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF SOMERSWORTH, CREATING A BOARD OF POLICE COMMISSIONERS FOR SAID CITY.

SECTION

1. Board of police commissioners established.
2. How and when appointed; terms of office.
3. Power of removal.
4. Police force, how constituted; powers and duties.
5. Compensation of police.
6. Commissioners to make rules and require enforcement of criminal laws.

SECTION

7. Chairman and clerk.
8. Compensation of commissioners.
9. Meetings of board; reports.
10. Tenure of office of present force.
11. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Board of
police com-
missioners
established.

SECTION 1. The powers now possessed by the mayor and city councils of the city of Somersworth in regard to the election and appointment and the removal of police officers for said city, as provided by the city charter of said city and by the statutes of this state, are hereby transferred to a board of police commissioners, and shall from and after the taking effect of this act be exercised only by said board of police commissioners, of whom two shall constitute a quorum for the transaction of all business and making appointments and removals.

How and
when
appointed;
terms of
office.

SECT. 2. On or before the first day of March, 1901, the governor, with the advice and consent of the council, shall appoint three police commissioners, who shall have been residents of said city of Somersworth at least five years immediately preceding the date of their appointment, one of whom shall hold office for two years from the first Tuesday of March, 1901, one for four years and one for six years, from said date, or until their successor is appointed and qualified; and biennially thereafter, on or before the first day of March, the governor, with the advice and consent of the council, shall appoint one commissioner who shall take the place of the one whose term expires, and who shall serve for six years, unless sooner removed as hereinafter provided; and any vacancy in said board shall be filled in the same manner. At no time shall more than two of said commissioners belong to one political party, and no commissioner shall hold or be a candidate for any other public office during his term of office.

Power of
removal.

SECT. 3. The governor, with the advice and consent of the council, shall have full power to remove any commissioner at any time, after a fair hearing and for just cause.

Police force,
how consti-
tuted; powers
and duties.

SECT. 4. The police force of said city shall consist of a city marshal, assistant city marshal, and not exceeding three police officers, who shall devote such time as may be required by the

commissioners to the performance of the duties of their office, and who shall not be engaged in any other business or occupation, or hold any state, county, or municipal office, except as aforesaid, during their continuance in office, and special police officers whenever occasion requires, who shall perform such service as may be required of them by the police commissioners, and they shall all be appointed by the police commissioners, and shall severally hold their office during the pleasure of said commissioners. All police officers appointed by the police commissioners shall have and exercise when on duty all the powers now possessed by police officers and constables, except as to the service of civil process. The police commissioners shall have the right to remove any member of the police force when in their judgment the public good requires it.

SECT. 5. The compensation of each police officer shall be one dollar and seventy-five cents per day, when actually on duty; the assistant city marshal, one dollar and seventy-five cents per day when actually on duty; and the city marshal, seven hundred and fifty dollars per year; all the above salaries, including those of the police commissioners and their necessary expenses, to be paid monthly by said city of Somersworth, and to be in full for all fees in criminal cases. Compensation of police.

SECT. 6. The police commissioners shall have full power, and it shall be their duty to make rules for the government of the police force which shall be in accordance with the laws of the state, and enforce said rules. It shall be the duty of the police commissioners to see that the police officers appointed by them, and under their control, faithfully and impartially enforce all the criminal laws of the state. Commissioners to make rules and require enforcement of criminal laws.

SECT. 7. The board of police commissioners shall elect one of their number who shall act as chairman, and one who shall act as clerk and keep a record of their proceedings, issue all notices, and attest all such papers and orders as said board shall desire. Chairman and clerk.

SECT. 8. The annual compensation of said police commissioners shall be seventy-five dollars for the member chosen clerk, and fifty dollars for each of the other two members. The city councils of Somersworth shall immediately furnish a suitable room in some central place in said city, properly heated and lighted, provided with furniture and stationery and all articles necessary for the use of said police commissioners in the performance of their duties. Compensation of commissioners.

SECT. 9. The board of police commissioners shall meet at least twice a month, and shall make a detailed report of their doings quarterly to the mayor and city councils of said city, and annually to the governor in the month of December. The records of said board shall at all times be open to the inspection of the governor and the citizens of said Somersworth. Meetings of board; reports.

SECT. 10. The persons now holding the offices of city marshal, assistant city marshal, and all police officers, constables, and special police officers, now in office in said Somersworth, shall hold their respective offices only until their successors are Tenure of office of present force

appointed by the board of police commissioners for said city, and shall receive pay only for such time as they may have served in office.

Repealing
clause; act
takes effect
on passage.

SECT. 11. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage.

[Approved March 7, 1901.]

CHAPTER 235.

AN ACT TO AMEND THE CHARTER OF THE MANCHESTER SAFETY DEPOSIT & TRUST COMPANY, PASSED MARCH 25, 1891, FIXING AND REGULATING THE ISSUE OF ITS CAPITAL STOCK, AND FOR OTHER PURPOSES.

SECTION

1. Charter amended.
2. Repealing clause.

SECTION

3. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter
amended.

SECTION 1. Section 4 of said act is amended so as to read and be as follows: Said corporation may fix its capital stock at any sum not less than twenty-five thousand dollars, nor more than one hundred and fifty thousand dollars, and issue the same in such sums and upon such calls and at such times as the board of directors shall determine, and it shall be taxed in the same manner and subject to the same laws, rules, and regulations as guaranty savings banks.

Repealing
clause.

SECT. 2. Any part of said act inconsistent with this act is repealed.

Subject to
repeal; takes
effect on
passage.

SECT. 3. The legislature may alter, amend, or repeal this act, and it shall take effect from and after its passage.

[Approved March 7, 1901.]

CHAPTER 236.

AN ACT TO INCORPORATE THE PEERLESS CASUALTY COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Who deemed to be members.

SECTION

3. Stock to constitute guarantee fund.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Calvin B. Perry, C. J. Woodward, Walter R. Porter, John E. Allen, Walter G. Perry, and all other persons who are and who shall continue to be residents of New Hampshire and may hereafter become members in the manner hereafter described, are hereby constituted a corporation by the name of the Peerless Casualty Company, for the purpose of insuring any person against bodily injury, disablement, or death resulting from accident, and providing benefits for disability caused by sickness; and by said name they may sue and be sued, plead and be impleaded, have a common seal and the same alter at pleasure, and may enjoy all the other rights and powers incident to such corporations. Corporation constituted; purposes.

SECT. 2. All stockholders of this corporation and all persons who shall at any time become interested in said company by insuring or continuing to be insured therein as hereinafter provided, shall be deemed and taken to be members thereof for and during the term specified in their respective policies and no longer; and shall at all times be concluded and bound by the provisions of this act. Who deemed to be members.

SECT. 3. Said corporation shall issue stock to the sum of ten thousand dollars for the purpose of establishing a guarantee fund for the payment of claims of its policy holders. Said stock may receive dividends not to exceed ten per cent per annum. Further profits shall accrue for the benefit of the company and its members. Stock to constitute guarantee fund.

[Approved March 7, 1901.]

CHAPTER 237.

AN ACT TO AMEND THE CHARTER OF THE CRYSTAL SPRINGS WATER
COMPANY OF BETHLEHEM.

SECTION

1. Charter amended; capital stock increased.
2. Increase in amount of real estate.
3. May hold property in Franconia.

SECTION

4. May take land, etc., in Franconia.
5. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Increase of
capital stock.

SECTION 1. That the charter of the Crystal Springs Water Company as granted by chapter 141 of the Laws of 1878, and amended by chapter 100 of the Laws of 1879, be amended by striking out the word "twenty" inserted by said amendment in said chapter 100 of said Laws of 1879 and inserting instead thereof the words seventy-five, so that the capital stock of said corporation may consist of such number of shares of the par value of one hundred dollars each as may be determined by the directors, not exceeding in the whole the sum of seventy-five thousand dollars.

Increase in
real estate.

SECT. 2. That section 4 of said chapter 141 of the Laws of 1878 be amended by striking out the word "ten" therein and inserting instead thereof the word seventy-five, so that said corporation may purchase and hold real and personal estate not exceeding in value seventy-five thousand dollars.

May hold
property in
Franconia.

SECT. 3. That section 4 of chapter 141 of the Laws of 1878 be amended by inserting after the words "the purpose of this act" the words, whether located in the town of Bethlehem or the town of Franconia or both, and also by inserting at the end of said section after the word "Bethlehem" the words, and Franconia respectively, so that said corporation may have the same rights in the town of Franconia as it has in the town of Bethlehem.

May take
land, etc., in
Franconia.

SECT. 4. That section 5 of said chapter be amended by inserting in the second line thereof after the word "ponds" the words, whether located in said Bethlehem or in Franconia, so that said corporation shall have the same rights in the town of Franconia under this section that it has in the town of Bethlehem.

Takes effect
on passage;
repealing
clause.

SECT. 5. This act shall take effect upon its passage and all acts and parts of acts inconsistent with this act are hereby repealed.

[Approved March 7, 1901.]

CHAPTER 238.

AN ACT IN AMENDMENT OF CHAPTER 150 OF THE LAWS OF 1878,
INCORPORATING THE ELIOTT BRIDGE COMPANY.

SECTION

1. May transfer property.

SECTION

2. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The Elliott Bridge Company is hereby authorized and empowered to lease, transfer, or convey all its rights, privileges, property, and franchises to any individual or corporation duly established under the laws of the State of New Hampshire.

SECT. 2. The legislature may alter, amend, or repeal this act whenever in its opinion the public good may require; and this act shall take effect upon its passage.

[Approved March 7, 1901.]

CHAPTER 239.

AN ACT TO INCORPORATE THE NEWPORT & GEORGE'S MILLS ELECTRIC
RAILWAY COMPANY.

SECTION

1. Corporation constituted; powers; route.
2. Capital stock.
3. How located in highways.
4. How located elsewhere.
5. Location of tracks.
6. Selectmen may make certain regulations.

SECTION

7. Rights reserved to towns.
8. Company to keep highways in repair.
9. Subject to general law.
10. First meeting.
11. Takes effect on passage; void as to parts not built in two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Henry Patten, Elwin F. Philbrick, G. H. Cross, B. E. Sanborn, Ruel L. Heath, Edson F. Hill, Marshall P. Clark, Enos Collins, Walter S. Clough, Vasco Kennedy, Albe E. Wheeler, George A. Chase, Charles P. Dole, N. S. Gardner, Orin F. Hill, Adah G. Hill, Alva B. Brown, Joseph C. Severance, John Robie, Kirk M. Tenney, Joseph L. Brown, N. J. Gardner, John L. George, and G. F. Sanborn, all of Springfield, in the county of Sullivan, Charles H. Forehand, Orin A. Stocker, Charles O. Hall, Isaac P. Rawson, S. W. Gilman, S. G. Walker, Daniel Kennedy, George A. Wright, O. C. Forehand, Stephen O. Powers, Norman B. Foye, G. W. Dissibar, Elizabeth D. Comings, William O. Burke, D. A. Sargent, Gus

tavus F. Allen, of Croydon, in the county of Sullivan, Reed & Buswell, George H. Walker, Ira B. Walker, Imla S. Brown, Aaron L. Brown, Elwin L. Walker, E. L. Dion, C. T. Matthews, E. A. Spiller, F. L. Hudson, James M. Howe, Isaac Reney, W. H. Miller, F. W. Leavitt, M. P. Burpee, W. C. Burpee, J. B. Pillsbury, A. Collins & Son, Abijah Powers, Perley Walker, D. D. Thornton, Epaphras Shuman, Erwin E. Spiller, Udo I. Currier, John L. Spiller, Edwin Howard, of Grantham, in the county of Sullivan, their associates, successors, and assigns, are hereby made a corporation by the name of the Newport & George's Mills Electric Railway Company, with power to construct, maintain, and operate a railway, with convenient sidings, turnouts, and switches, starting from and forming connection with the Boston & Maine Railroad track at some convenient point in the town of Newport in the county of Sullivan, and continuing by way of Croydon Flat, East Croydon, Grantham, and Springfield to any convenient point in the town of Sunapee in said county of Sullivan, over and upon such highways and lands as may be necessary, and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

Capital stock.

SECT. 2. The capital stock of said corporation shall not exceed three hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of the capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of chapter 27, section 17, Laws of 1895.

How located
in highways.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways and streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and the place at which they will consider said petition for location in the public highways of said town; and after a public hearing of all persons interested they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any

time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change; but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges, and be subject to all the duties, restrictions, and liabilities contained in said chapter. How located elsewhere

SECT. 5. The selectmen of the towns through which said railroad shall pass, shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal. Location of tracks.

SECT. 6. The selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interest or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established, and all locations made by selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners who shall, upon notice, hear the parties and finally determine the questions raised by said appeal. Selectmen may make certain regulations.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation. Rights reserved to towns.

Company to keep highways in repair.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, highway commissioner, or surveyor of highways, in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management or use of its tracks.

Subject to general law.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 10. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting.

Takes effect on passage; void as to parts not built in two years.

SECT. 11. This act shall take effect upon its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

[Approved March 14, 1901.]

CHAPTER 240.

AN ACT TO INCORPORATE THE ASHLAND & ASQUAM ELECTRIC RAILWAY COMPANY.

SECTION

1. Corporation constituted; powers; route.
2. Capital stock.
3. How located in highways.
4. How located elsewhere.
5. Location of tracks.
6. Selectmen may make certain regulations.

SECTION

7. Rights reserved to towns.
8. Company to keep highways in repair.
9. Subject to general law.
10. First meeting.
11. Takes effect on passage; void as to parts not built in two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; powers; route.

SECTION 1. That Alvin F. Wentworth, Frank H. Rollins, Charles T. Ayer, and Charles J. Gould of Plymouth, and James L. Wilson and James F. Huckins of Ashland, and their associates, successors, and assigns, are hereby made a corporation by the name of the Ashland & Asquam Electric Railway, with powers to construct, maintain, and operate a railway with convenient sidings, turnouts, and switches, from some convenient point in the village of Ashland in the town of Ashland, and

through the towns of Ashland and Holderness, to some convenient point in the town of Sandwich; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

SECT. 2. The capital stock of said corporation shall not exceed fifty thousand dollars and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town, and, after a public hearing of all persons interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be the true location of the tracks of said railway. But upon petition of any party interested and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change; but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided for by law in the laying out of highways.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 15 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

Location of
tracks.

SECT. 5. The selectmen of the towns through which said railway shall pass, shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Selectmen
may make
certain
regulations.

SECT. 6. Selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations, with reference to their portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operation of said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interest or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established and all locations made by selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall, upon notice, hear the parties and finally determine the questions raised by said appeal.

Rights
reserved to
towns.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway or may alter highways as authorized by law without incurring any liability therefor to said corporation.

Company to
keep
highways
in repair.

SECT. 8. Said railway corporation shall keep in repair to the satisfaction of the superintendent of streets, street commissioners, road commissioners, or surveyors of highways in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Subject to
general law.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 10. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting.

Takes effect
on passage;
void as to
parts not
built in two
years.

SECT. 11. This act shall take effect upon its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

[Approved March 14, 1901.]

CHAPTER 241.

AN ACT TO INCORPORATE THE MANCHESTER & HAVERHILL STREET
RAILWAY COMPANY.

SECTION

1. Corporation constituted; powers; route.
2. Contingent extension of route.
3. Capital stock.
4. How located in highways.
5. How located elsewhere.
6. Location of tracks.
7. Selectmen may make certain regulations.

SECTION

8. Rights reserved to owns.
9. Company to keep highways in repair.
10. Subject to general law.
11. First meeting.
12. Takes effect on passage; void as to parts not built in two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Charles M. Floyd, James W. Hill, Roscoe K. Horne, and Albert A. Lamprey, all of Manchester, in the county of Hillsborough; Simon G. Prescott, Alfred D. Emery, Willard H. Griffin, and Edwin Plummer, all of Auburn, in the county of Rockingham; John Webster, John W. Noyes, George Rand, W. H. Thayer, all of Chester, in the county of Rockingham; Greenleaf K. Bartlett of Derry, in the county of Rockingham; William A. Emerson, Charles W. Bailey, and W. A. Allen, all of Hampstead, A. A. Collins of Danville, Charles W. Cass, Fred P. Hill, John Duffell, Moses B. Dow, Hillaire Gilbert, and Benjamin G. Farnsworth, all of Plaistow, in the county of Rockingham; Wallace D. Lovell and Edwin L. Pride of Boston, Massachusetts; Warren Brown of Hampton Falls, and A. E. McReel of Exeter, in the county of Rockingham, their successors, associates, and assigns, are hereby made a corporation by the name of the Manchester & Haverhill Street Railway Company, with power to construct, maintain, and operate a railway with convenient sidings, poles, wires, turnouts, and switches from an iron pin in the ground located on the division line between the town of Auburn and the city of Manchester, N. H., near the house of Samuel Reed; thence running through the towns of Auburn, Chester, Derry, Sandown, Hampstead, Danville, and Plaistow to an iron pin located on the dividing line between the State of New Hampshire and the Commonwealth of Massachusetts, over and upon such highways and lands as may be necessary; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

SECT. 2. In case the Manchester Street Railway Company does not, before the time at which the tracks of this street railway company are constructed and its road completed to the line between Auburn and Manchester, construct its road in the high-

way in which it is at present laid, towards Auburn, to the line between Manchester and Auburn, then this company may build its track beyond the Auburn line and into Manchester along said highway, until it reaches an iron pin in said highway at an elm tree, which tree is about one thousand feet from the line between Auburn and Manchester, and is at the division line between the property of the Manchester Street Railway Company and the highway aforesaid. The track of this company shall not physically connect with the track of the Manchester Street Railway Company.

Capital stock. **SECT. 3.** The capital stock of said corporation shall not exceed two hundred and fifty thousand dollars, and shall be divided into shares of a par value of one hundred dollars each, but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

How located in highways. **SECT. 4.** All parts of said railway occupying any portion of the public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town; and, after a public hearing of all persons interested, they may make an order granting the same or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change, but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change of location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

How located elsewhere.

SECT. 5. All parts of said railway not located in a public highway shall be laid out, located, and the location changed

under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

SECT. 6. The selectmen of the towns through which said railway shall pass shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Location of
tracks.

SECT. 7. The selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of material to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interest or convenience of the public may require; and all the designations, orders, rules, and regulations thus made or established, and all locations made by selectmen, shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall upon notice hear the parties and finally determine the questions raised by said appeal.

Selectmen
may make
certain
regulations.

SECT. 8. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Rights
reserved to
towns.

SECT. 9. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks, and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Company to
keep
highways
in repair.

SECT. 10. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

Subject to
general law.

First meeting. SECT. 11. Any three of the grantees may call the first meeting by publication, or by giving personal notice to the other grantees, at least ten days prior to the time of the meeting.

Takes effect on passage; void as to parts not built in two years. SECT. 12. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

[Approved March 14, 1901.]

CHAPTER 242.

AN ACT TO SEVER A PART OF THE TOWN OF NEWBURY FROM THE TOWN OF SUTTON, FOR SCHOOL PURPOSES.

SECTION

1. Territory severed and annexed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Territory severed and annexed.

SECTION 1. All the territory which has been heretofore annexed to the town of Sutton from the town of Newbury for school purposes is hereby disannexed from the town of Sutton and annexed to the town of Newbury for school purposes.

Takes effect on passage.

SECT. 2. This act shall take effect and be in force after its passage.

[Approved March 14, 1901.]

CHAPTER 243.

AN ACT TO ESTABLISH THE GRAFTON IMPROVEMENT MANUFACTURING & POWER COMPANY.

SECTION

1. Corporation constituted; powers and purposes.
2. May acquire property of similar corporations.
3. May construct and maintain poles, etc.
4. Capital stock.

SECTION

5. May maintain dam across Connecticut river.
6. First meeting.
7. Subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; powers and purposes.

SECTION 1. That Daniel C. Remich, Frank P. Bond, Henry F. Green, John Tillotson, Harry M. Morse, and George W. Morse, their associates, successors, and assigns, are hereby constituted a body politic and corporate by the name of the Grafton

Improvement Manufacturing & Power Company, for the purpose of establishing, generating, and operating water and electric power to be used for the purpose of manufacturing, milling, mining, heating, lighting, and operating electric railways, with full power to lease or sell any power generated by them for any of said purposes or any other legal purpose within the limits of Grafton and Coös counties, in the State of New Hampshire, and the counties of Caledonia and Essex, in the State of Vermont, with all the powers and privileges and subject to all the duties and liabilities to which such corporations are legally incident.

SECT. 2. That said company is hereby authorized to acquire by lease, purchase, or otherwise, the properties, rights, franchises, privileges, and immunities of any company now or hereafter existing in said counties, doing a like business, upon such terms and conditions as may be mutually agreed upon, and upon such lease, purchase, or otherwise acquiring and a transfer and conveyance of the same to the said corporation, it shall succeed to and enjoy all the rights, privileges, and immunities now or then enjoyed and belonging to any such individual or corporation.

May acquire property of similar corporations.

SECT. 3. The said company is hereby authorized to construct and maintain lines of poles and wires or other devices for the transmission of electric power in accordance with the laws of the State of New Hampshire.

May construct and maintain poles, etc.

SECT. 4. The capital stock of said corporation shall not exceed the sum of two hundred thousand dollars, divided into shares of one hundred dollars each. The amount thereof, within said authorized limits, shall be fixed by the corporators upon the organization of the company and may be increased from time to time as determined by the stockholders, until all of said two hundred thousand dollars has been issued. Said capital stock may be paid in cash or in property taken at a just valuation, but no certificate of stock shall be issued until fully paid for. Said company shall have the right to acquire, own, or hold by lease, purchase, or otherwise, any and all property, real, personal, or mixed, that may be necessary, useful, or desirable for the purpose or prosecution of its business, and shall also have the power to sell, mortgage, pledge, or lease its properties, rights, and franchises to other corporations in this state or the State of Vermont.

Capital stock.

SECT. 5. Said corporation is hereby authorized and empowered to build and maintain a dam or dams, and all such works and structures as may be necessary and useful to carry into effect the objects aforesaid, on and across the Connecticut river at any feasible location between the Waterford bridge, so called, across said river, connecting the towns of Littleton, New Hampshire, and Waterford, Vermont, and a point in the town of Dalton, northeasterly from and so far up said river as may be and not in any way infringe upon or interfere with any franchises or rights heretofore granted or now existing in said town, and to make and maintain all such canals, slips, and other devices as may be necessary and useful in the prosecution of its business.

May maintain dam across Connecticut river.

First meeting. SECT. 6. The first meeting of said company may be called by any corporate member, giving personal notice, at least ten days prior to the time of meeting, to his associates, stating the time and place thereof, at which meeting, or any other meeting duly called and holden, associates may be elected, by-laws adopted, and a president, clerk, and such other officers and agents as may be deemed necessary may be chosen.

Subject to repeal. SECT. 7. The legislature may alter, amend, or repeal this act whenever the public good may require.

[Approved March 14, 1901.]

CHAPTER 244.

AN ACT TO CHANGE THE NAME OF THE BAPTIST CHURCH IN NEW LONDON, AND TO ENABLE SAID CHURCH TO HOLD PROPERTY AND TO PERFORM THE FUNCTIONS OF A CHURCH SOCIETY.

SECTION

1. Name changed.
2. Authorized to hold property for certain purposes.

SECTION

3. May perform functions of church society.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name changed.

SECTION 1. The corporate name of The Baptist Church of New London is hereby changed to, and shall hereafter be known as, The First Baptist Church of New London.

Authorized to hold property for certain purposes.

SECT. 2. Said church is hereby given full power and authority to purchase, hold, and manage real and personal property necessary and needful for the support of religious preaching in New London, and to hold such property in trust for religious and charitable uses as may be conveyed to it or vested in it.

Powers enlarged.

SECT. 3. Said church corporation is also authorized to have and exercise all the powers and privileges heretofore legally exercised by the Baptist Society in New London; *provided*, said society shall relinquish its said powers and privileges or shall be dissolved and cease to exist.

Takes effect on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved March 14, 1901.]

CHAPTER 245.

AN ACT AUTHORIZING THE MERRIMACK COUNTY CONVENTION TO RAISE MONEY FOR THE ERECTION OR REPAIR OF A COURT HOUSE AND FOR THE PURCHASE OF A SUITABLE LOT THEREFOR, AND CONFERRING THE RIGHT TO CONDEMN LAND.

SECTION

1. Vote to raise money authorized.
2. Adjustment with city of Concord.

SECTION

3. Right of eminent domain.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The county convention for Merrimack county for the years 1901 and 1902 is authorized to vote such sum of money as in their judgment may seem necessary and advisable for the purchase of land and the erection, completion, and furnishing of a court house and county offices in the city of Concord, providing, upon investigation, they shall deem it advisable to purchase a lot and erect such court house and county office building. Said county convention is also authorized to appoint such committee as they deem advisable, including the commissioners of Merrimack county, to investigate the matter of the erection of a new court house building and the purchase and location of a suitable lot therefor, and report the result of such investigation to the county convention. Said county convention is also further empowered, in case they decide to build a new court house or repair the present one, to appoint such committee as they deem advisable, including the county commissioners of said county, to locate and purchase a suitable lot, erect a building thereon, and furnish the same, and to invest said committee with full power and authority in regard to the location, erection, construction, and furnishing of such building or the repairing or changing over the present court house building. Said committee so appointed shall also have power to borrow a sufficient sum of money to accomplish the purposes aforesaid and to issue the bonds of the county therefor for such period of time, in such denominations, and at such rate of interest, payable at such time and place as they may determine.

SECT. 2. The committee who shall be appointed under the provisions of the foregoing section for the purpose of locating, erecting, constructing, and furnishing the building referred to, shall have full authority to make such arrangements with the city of Concord in regard to the disposal of the county's interest in the present city and county lot and building, or the acquirement of the city's interest in the said lot and building, or in the sale of the city's and county's interest in said lot and building, as they may deem advisable, and shall have full power to make any arrangement or agreement with said city in relation thereto or with any committee appointed by said city council as

they may deem advisable. For the complete carrying out of the same, said committee are hereby authorized to make, execute, and deliver, on behalf of the county, such releases, discharges, and conveyances as they may deem advisable. Said committee shall select a chairman and a secretary, and a full record of the proceedings of said committee shall be kept by said secretary. The reasonable expenses of said committee in the performance of their duties shall be paid by the county treasurer, after being first audited by any justice of the supreme court.

Right of eminent domain.

SECT. 3. Whenever the committee appointed by said county convention for such purpose cannot obtain suitable lands for the erection of said court house and county office building by contract for a reasonable price, any land so required for said uses may be taken, the damages assessed, and the same remedies and proceedings had as in the case of laying out highways; *provided, however,* that the venue of said actions shall be in such county as the supreme court for the county of Merrimack shall determine.

Takes effect on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved March 14, 1901.]

CHAPTER 246.

AN ACT TO AMEND CHAPTER 176 OF THE LAWS OF 1895, ENTITLED "AN ACT TO CHANGE THE NAME OF THE TOWN OF SOUTH NEW-MARKET," AND TO RATIFY THE SAME.

SECTION

1. Town name confirmed.
2. Former legislation ratified.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Town name confirmed.

SECTION 1. Amend section 1, chapter 176 of the Laws of 1895 by adding at the end of said section the words, and so remain, so that said section as amended will read: that the town of South Newmarket shall hereafter be known and called by the name of Newfields, and so remain.

Former legislation ratified.

SECT. 2. Chapter 176 of the Laws of 1895 is hereby re-enacted, ratified, and confirmed as amended.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved March 14, 1901.]

CHAPTER 247.

AN ACT TO AMEND THE CHARTER OF THE KEENE ELECTRIC RAILWAY COMPANY, AND TO EXTEND THE TIME THEREOF.

SECTION

1. Extension of time for building.
2. Increase of capital.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The time fixed in the amendment to the charter of the Keene Electric Railway Company, approved March 7, 1899, in which to build its road, is hereby extended to March 31, 1904, and said corporation shall have such additional time in which to build its road. Extension of time.

SECT. 2. Said Keene Electric Railway Company is hereby authorized and empowered to increase its capital stock already authorized, not exceeding sixty thousand dollars, and to issue bonds to an amount not exceeding the capital stock so increased, actually paid in at the time of issuing said bonds; said stock and bonds to be issued agreeably to provisions of chapter 27, Laws of 1895. Increase of capital.

SECT. 3. Any part of said charter inconsistent herewith is hereby repealed, and this act shall take effect on its passage. Repealing clause; act takes effect on passage.

[Approved March 20, 1901.]

CHAPTER 248.

AN ACT TO EXTEND CERTAIN POWERS OF THE HUDSON, PELHAM & SALEM ELECTRIC RAILWAY COMPANY.

SECTION

1. May lease certain railway property.
2. Lease subject to original restrictions
3. Approval of lease.

SECTION

4. No rights to be implied.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The Hudson, Pelham & Salem Electric Railway Company is hereby authorized and empowered to make a lease of all the property, rights, privileges, easements, and franchises of the corporation to the Haverhill & Southern New Hampshire Street Railway Company, a body corporate established under the laws of the Commonwealth of Massachusetts. May lease certain railway property.

SECT. 2. All the rights of this state, by its legislature or otherwise, to regulate the said Hudson, Pelham & Salem Elec- Lease subject to original restrictions.

tric Railway Company and its management or to amend its charter are reserved, and any lease made under the authority hereby granted shall be made subject to all the duties, liabilities, and restrictions imposed upon said Hudson, Pelham & Salem Electric Railway Company.

Approval of
lease.

SECT. 3. No lease executed under the authority of this act shall be valid or binding until the terms thereof have been agreed to by two thirds of the directors, and two thirds in interest of the stock of the lessor, and approved by the board of railroad commissioners; and should there be dissenting stockholders, the value of the stock of such dissenting stockholders may be determined as provided in the Public Statutes of this state, chapter 156, and the provisions of said chapter shall apply to the taking of said stock as in the case of railroads.

No rights to
be implied.

SECT. 4. Nothing in this act contained, except the authority given in section 1 of said act, shall be construed as giving to said Hudson, Pelham & Salem Electric Railway Company or its lessees any rights which said railway does not now enjoy, or as releasing said railway from any lawful obligations which now exist or which may hereafter be lawfully imposed.

Takes effect
on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 20, 1901.]

CHAPTER 249.

AN ACT REVIVING THE CHARTER OF THE GENERAL MILLER PARK RAILROAD ASSOCIATION, APPROVED APRIL 1, 1893.

SECTION

1. Charter revived.

SECTION

2. Takes effect on passage; no charter fee.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter
revived.

SECTION 1. An act entitled "An act to incorporate the General Miller Park Railroad Association," approved April 1, 1893, is hereby revived and continued in force as fully and completely, to all intents and purposes, as if the same were incorporated at the present time.

Takes effect
on passage;
no charter
fee.

SECT. 2. This act shall take effect and be in force from and after its passage, and the provisions of section 5, chapter 14 of the Public Statutes, shall not apply thereto.

[Approved March 20, 1901.]

CHAPTER 250.

AN ACT TO INCORPORATE THE CONCORD, DOVER & ROCHESTER STREET
RAILWAY.

SECTION

1. Corporation constituted; powers; route.
2. Substitution in case of death of incorporator.
3. Capital stock.
4. How located in highways.
5. How located elsewhere.
6. Location of tracks.

SECTION

7. Selectmen may make certain regulations.
8. Reserved rights of towns.
9. Company to keep highways in repair.
10. Subject to general law.
11. First meeting.
12. Takes effect on passage; void as to parts not built in two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Elisha R. Brown, Arthur G. Whittemore, Thomas H. Dearborn, Daniel Hall, and George D. Barrett, all of Dover in the county of Strafford, Frederic E. Small, John F. Springfield, R. DeWitt Burnham, Charles S. Barker, and Horace L. Worcester, all of Rochester in said county, Nathaniel E. Martin and James H. Morris, both of Concord in the county of Merrimack, John B. Jameson of Antrim in the county of Hillsborough, George W. Lane of Chichester in said county of Merrimack, Charles F. Cate, F. H. Folsom, and Samuel W. Gerrish, all of Northwood in the county of Rockingham, William C. Chesley of Nottingham in said county of Rockingham, and Wallace D. Lovell of West Newton in the Commonwealth of Massachusetts, their associates, successors, and assigns, are hereby made a corporation by the name of the Concord, Dover, & Rochester Street Railway, with power to construct, maintain, and operate a railway with convenient sidings, poles, wires, turnouts, and switches from some convenient point at or near the intersection of North Main and Bridge streets in the said city of Concord; thence through said Bridge street, and through said city of Concord to the line of the town of Pembroke; thence through the northwestern corner of said Pembroke, and through Chichester, and through the village of Short Falls or Epsom Depot in the town of Epsom, Northwood, and through the northerly corner of the town of Nottingham, Barington; thence through Strafford, and the northerly corner of the town of Madbury, and in the city of Dover to some convenient point at or near the Boston & Maine Railroad station in the city of Dover, or through the city of Rochester to some convenient point at or near the Boston & Maine Railroad station in the city of Rochester, or to said terminals in both said cities, as this corporation may determine (but this corporation shall not build directly from Dover to Rochester, or from Rochester to Dover), and in each of said cities, in case the corporation shall build the railroad hereby authorized to both of them, or in either of said cities in case it shall build the railroad herein authorized to but

Corporation
constituted;
powers;
route.

one of them, the track of this corporation shall be laid to connect with the track of the Dover, Somersworth & Rochester Street Railway at the extreme point to which said Dover, Somersworth & Rochester Street Railway shall have been constructed at the time of the building of the railroad hereby authorized, towards the west in said city or cities. And in said city or cities from such extreme point this corporation may enter upon, use, and run its cars over the line of the Dover, Somersworth & Rochester Street Railway directly to the terminus of the railroad of this corporation in each or either of said cities upon such terms as this corporation and said Dover, Somersworth & Rochester Street Railway may agree, or in the absence or inability to make an agreement, upon such terms as the railroad commissioners may determine, upon the petition of either party.

If the Concord Street Railway Company shall during the year 1901, or at such time thereafter as the said Concord, Dover & Rochester Street Railway shall have constructed its said line from the said corner of Bridge and North Main streets through said Bridge street and the city of Concord to the line of the town of Pembroke, reconstruct its lines so as to make them of standard gauge railroad, then said corner of Bridge and North Main streets shall be the terminal of the said Concord, Dover & Rochester Street Railway in Concord. If said Concord Street Railway shall not have so reconstructed, then the terminal of said Concord, Dover & Rochester Street Railway shall be some convenient point at the corner of North Main street and Pleasant street in said Concord, and the said Concord, Dover & Rochester Street Railway shall have the right to build, operate, and maintain its said line from North Bridge street aforesaid to the corner of North Main and Pleasant streets aforesaid. Said corporation may construct the railroad herein authorized through such of the towns herein named and in such sequence as it may determine, and may pass in and through a town or part of a town more than once if necessary, between the termini.

Substitution
in case of
death.

SECT. 2. In case of the death or inability to act of any incorporator, his associates from the town or city in which he lived may fill the vacancy by choice signified to all their associates in writing within thirty days of the death or inability to act of such incorporator, and the person so elected to fill the vacancy shall have and possess all the rights and powers he would have had, had he been named herein as incorporator. In case of the death or inability to act of an incorporator from a town or city from which there is but one incorporator, all his associates shall act in filling the vacancy.

Capital stock.

SECT. 3. The capital stock of said corporation shall not exceed four hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each, but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the opera-

tion thereof, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time, shall be determined and issued in accordance with the provisions of the general laws.

SECT. 4. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town or towns or the board of mayor and aldermen of the city or cities in which said portions of highways or streets may be. The selectmen of the towns, or mayor and aldermen of cities, respectively, upon petition of the directors of said railway for a location of its tracks over or on any public highway upon the line of said route, shall give notice by publication to all parties interested, of the time and place at which they will consider said petition for location in the public highways of said town or towns, city or cities, and after a public hearing of all persons interested, they may make an order granting the same or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon the petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen, boards of mayor and aldermen, or their successors in office, if in their judgment the public good requires such change; but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change of location shall be apportioned by the board of railroad commissioners between the railway and the city or town, as such board may deem just. The boards of mayor and aldermen of cities and selectmen of towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

SECT. 5. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

SECT. 6. The selectmen of the towns and the board of mayor and aldermen of cities through which said railway shall pass shall, within their respective towns or cities, have exclusive and final jurisdiction to locate the tracks, side tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Selectmen
may make
certain regu-
lations.

SECT. 7. The boards of mayor and aldermen of cities and the selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of material to be used in the construction of said railway within their said towns or cities, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns or cities, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns or cities.

Reserved
rights of
towns.

SECT. 8. Said towns and cities, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Company to
keep
highways
in repair.

SECT. 9. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the respective towns or cities, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks, and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Subject to
general law.

SECT. 10. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 11. Any of the three grantees may call the first meeting by publication, or by giving personal notice to the other grantees, at least ten days prior to the time of the meeting.

Takes effect
on passage;
void as to
parts not
built in two
years.

SECT. 12. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

[Approved March 20, 1901.]

CHAPTER 251.

AN ACT TO AUTHORIZE THE GRANITE STATE LAND COMPANY TO CON-
STRUCT AND MAINTAIN A BRIDGE ACROSS HAMPTON RIVER, AND
FOR OTHER PURPOSES.

SECTION

1. Authority granted; right of eminent domain.
2. Schedule of tolls to be taken.
3. May turn back those not paying; right to sue.
4. Raising of draw.
5. Bridge free if toll gatherer absent.
6. Not taxed by towns, when; liability when bridge left open.
7. Liability for neglect to repair.
8. Street railway tracks.
9. Bridge deemed real estate; bonds may be issued.
10. Corporation may furnish water; right of eminent domain.

SECTION

11. Water pipes may be laid.
12. Liability for neglect.
13. No additional payment when pipes relaid.
14. Pipes in Hampton river.
15. Proceedings when additional land taken.
16. Corporation may construct sewers at certain places.
17. Rates to be reasonable.
18. Bridge becomes free, when.
19. Towns may acquire sewerage system and water-works by eminent domain.
20. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The Granite State Land Company, a corporation legally organized under the provisions of chapter 147 of the Public Statutes of this state and amendments thereto, is hereby authorized and empowered to construct and maintain from the southernly end of Hampton beach to the northerly end of Seabrook beach, and across Hampton river, a bridge of suitable width and height, with suitable draw and pass-way for vessels having occasion to pass the same, and said corporation is hereby fully empowered to build and construct and maintain suitable approaches to said bridge, and it may take and hold such lands and interests therein as may be necessary for such approaches and for toll house or toll houses and such other structures and buildings as may be necessary. The said lands and interests therein shall be taken by the same method as provided by chapter 158, section 26, of the Public Statutes in relation to the taking of lands by railroad corporations for yards, turntables, etc., except that the proceedings for appraisal of damages shall be had as provided in section 10 hereof in case of taking lands.

Authority granted; right of eminent domain.

SECT. 2. Said corporation may erect, keep up, and maintain at the termini of said bridge and in the center thereof, toll gates, and may demand, take, and receive from such persons as pass over and upon said bridge, tolls according to the following schedule: For each foot passenger or bicycle rider, five cents; for each carriage drawn by one horse, five cents, and for each person riding in a carriage or in any vehicle, five cents; for each carriage drawn by two or more horses, ten cents; for each head of neat stock, one cent; for each load of merchandise or of any property or commodity, five cents, and five cents for the vehicle; for each

Schedule of tolls to be taken.

beast of burden not attached to a vehicle, and not ridden by a rider, one cent; for every other vehicle than carriages, but not including a bicycle, five cents; for sheep and swine, one cent each; each horse and rider, five cents.

May turn
back those
not paying;
right to sue.

SECT. 3. Said corporation may detain and turn back, at its toll gate, such persons as do not pay the established toll, and may sue for and recover, in an action of assumpsit, any tolls not paid by those who pass the gates by agreement, or by force, craft, or fraud.

Raising of
draw.

SECT. 4. Whenever a vessel shall desire to pass up or down said Hampton river, the draw shall be seasonably raised, and said vessel shall pass without payment of any sum whatsoever.

Bridge free if
toll gatherer
absent.

SECT. 5. The toll gate shall be left open at such times as the toll gatherer, or some person to take toll, shall not be present to receive toll, and at such times passage over said bridge shall be free. Said corporation may take toll at either end gate it chooses, or at the middle of said bridge, but for one passage it shall take but one toll.

Not taxed by
towns, when;
liability when
bridge left
open.

SECT. 6. If said corporation shall choose to leave its toll gates open from the first day of October to the first day of May in any twelve months, then and so often as it shall do so the towns of Hampton and Seabrook shall assess no tax on April 1 of such twelve months against said corporation for said bridge for that tax year. But said corporation shall not be liable to any person or traveler undertaking to pass said bridge during such period, from October 1 to April 1, for any injury caused by reason of snow or ice on said bridge, or from any other neglect of said corporation, nor shall said corporation be bound to snow said bridge during any part of the same period from October 1 to April 1.

Liability for
neglect to re-
pair.

SECT. 7. Said corporation may be indicted and fined if it does not keep said bridge in a reasonably safe and suitable condition for the travel thereon at all times, except as provided in section 6, and it shall be liable to pay damages to any traveler paying toll for any injury suffered by him in person or property by reason of any failure of said corporation to use ordinary care to keep said bridge in a reasonably safe and suitable condition for travel. But in case any loaded vehicle shall, with its load, exceed in weight three and one half tons, the corporation may refuse passage for it.

Street rail-
way tracks.

SECT. 8. Either the Seabrook & Hampton Beach Street Railway Company, or the Exeter, Hampton & Amesbury Street Railway Company, or the successor of either, or assigns of either, may lay its track over, along, and upon said bridge if it can by agreement with this corporation obtain the right so to do. But in no case shall more than one track be laid on said bridge, and then it shall be laid upon one of the extreme outer sides thereof. A clear carriage way of not less than sixteen feet in width shall be left for carriage travel.

Deemed real
estate; bonds
may be
issued.

SECT. 9. Said bridge, approaches, and the property appurtenant thereto, shall be deemed to be real estate, and the same may

be conveyed as real estate is conveyed. Said Granite State Land Company for the purpose of constructing and maintaining said bridge, approaches, and necessary buildings, or for any legal purpose, may issue its mortgage bonds secured by mortgage of its franchises and property then acquired and thereafter to be acquired.

SECT. 10. Said Granite State Land Company is further hereby empowered and authorized to bring and conduct, in such manner as it may deem best, fresh water, for domestic and mechanical purposes, and for extinguishing fires, into the towns of Hampton and Seabrook, and the said water it may supply and sell to the inhabitants thereof, and to all others therein. It may enter upon and appropriate any ponds, streams, or springs within the towns of Seabrook, Hampton, Kensington, South Hampton, and Hampton Falls, not previously appropriated for supplying water to the inhabitants of a town, and in case the said corporation and the owner or owners of the land or lands containing such ponds, streams, or springs, cannot agree upon a price at which said corporation may buy the same, then it may apply by petition to the supreme court for the county of Rockingham for an appraisement of said land or lands, and such proceedings shall thereafterwards be had as in case of taking land for a highway; *provided, however*, that if said corporation shall appropriate any spring, stream, or pond from which any family or families or their domestic animals are supplied with water, the corporation shall furnish such family or families with water therefrom before furnishing to any other persons therefrom.

Corporation may furnish water; right of eminent domain.

SECT. 11. Said land company may dig up the streets and roads in said towns and elsewhere to lay its pipes and to renew or repair the same, if necessary, and may acquire the right to lay its pipes on such private lands as may be necessary, using the method provided in the preceding section to acquire said right if an agreement as to the price to be paid for the easement cannot be arrived at.

Water pipes may be laid.

SECT. 12. Whenever said corporation shall, as it may, dig up a public street or road, it shall use ordinary care to keep it safe for passage of the public thereon, and for failure to use such care it shall be responsible in damages to any person injured by its neglect. Said corporation shall speedily restore the streets or roads so dug up to a suitable condition, so far as disturbed by the corporation.

Liability for neglect.

SECT. 13. The corporation may take up, repair, relay, and renew, and lay larger or other pipes, in any private land in which they have acquired an easement to lay pipes, without payment of any sum beyond that first paid for the right to lay pipes therein, and it shall have the same right as to streets and roads.

No additional payment when pipes relaid.

SECT. 14. If necessary, said corporation may lay its pipes along and on the bed of Hampton river.

Pipes in Hampton river.

SECT. 15. In case it becomes necessary to take any land or lands other than those herein mentioned, said corporation may, if a price cannot be agreed on, proceed as in section 10 hereof.

Proceedings when additional land taken.

Corporation may construct sewers at certain places.

SECT. 16. Said corporation may construct at Hampton and Seabrook beaches, or either of them, a sewer system for the accommodation of those residing and sojourning there, and may construct its sewers to empty into any body or bodies of salt water which the board of health of this state may permit; such sewers may be so laid in public highways under the conditions prescribed in sections 11, 12, and 13 hereof in relation to pipes for water. It may, for creating such sewer system, take such lands and interests in land as may be necessary, as provided by section 11 hereof, and shall have with respect to said lands all the rights conferred in relation to pipes for water by section 11 hereof.

Rates to be reasonable.

SECT. 17. For the use of such water and of its sewers, or either of them, said company may charge and collect such sums from the takers of such water, and those who connect their buildings with and use such sewers, as may be reasonable.

Bridge becomes free, when.

SECT. 18. If the State of New Hampshire shall, within five years after said bridge is opened for public travel, expend in constructing a state highway along Hampton beach and Seabrook beach, aforesaid, the sum of thirty thousand dollars, then, when said sum shall have been so expended, the bridge herein authorized shall be and become a free bridge, upon condition that the state shall forever after keep and maintain all parts thereof and its approaches in good repair, except the superstructure of the part occupied by the street railway. The ownership of the bridge shall remain in the corporation until the state takes such bridge under the right of eminent domain, if it so chooses. But in such case, from and after said sum has been so expended by the state hereunder, and said state shall assume such repairs, said corporation shall be under no liability with respect to said bridge or to travelers thereon, or to vessels passing up and down said river. But in case of the expenditure of said sum, the railroad track shall continue on said bridge, and be maintained there by such corporation as may at that time be authorized to lay and maintain its track there, agreeably to this act, and its successors and assigns may forever maintain such track on said bridge without payment for the right so to do to the state, but the street railroad shall repair the superstructure of that part of the bridge on which its track is laid.

Towns may acquire sewerage system and water-works.

SECT. 19. The town of Seabrook is hereby authorized to acquire by exercise of the power of eminent domain any sewerage system established in its limits under and by authority of this act. The town of Hampton is vested with the same power as to any sewerage system established within its limits under and by authority of this act. The towns of Hampton and Seabrook may jointly or severally acquire in the same manner the entire water-works system established by and under authority of this act. The petition in any case hereunder for appraisal of damages shall be filed in the supreme court for the county of Rockingham, and thereafter the proceedings shall be as like as may be to those in case of taking of land for a highway.

Takes effect on passage.

SECT. 20. This act shall take effect upon its passage.

[Approved March 20, 1901.]

CHAPTER 252.

AN ACT TO REVIVE, CONFIRM, AND CONTINUE THE ORGANIZATION OF
THE AMOSKEAG FIRE INSURANCE COMPANY.

SECTION

1. Corporation revived.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The Amoskeag Fire Insurance Company, a cor-
poration constituted and organized under the general laws,
which was confirmed and continued by chapter 174 of the Laws
of 1887, is hereby revived, confirmed, and continued, with all
the powers and privileges and subject to all the liabilities of
corporations of a similar nature, including all the powers and
privileges conferred by said chapter 174 of the Laws of 1887.

SECT. 2. This act shall take effect upon its passage.

Corporation
revived.

Takes effect
on passage.

[Approved March 20, 1901.]

CHAPTER 253.

AN ACT TO REVIVE THE CHARTER OF THE SALEM WATER-WORKS COM-
PANY.

SECTION

1. Corporation constituted ; purposes.
2. Capital stock.
3. Meetings.
4. May hold property; right to exca-
vate.
5. May take certain property by emi-
nent domain.

SECTION

6. May make contracts for use of
water ; may sell system to town
of Salem.
7. First meeting.
8. Subject to repeal; takes effect on
passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Frank P. Woodbury, John W. Wheeler, Corporation
Wallace W. Cole, James Ewins, T. M. Russ, Fred C. Buxton, constituted;
Kimball B. McLaughlin, E. A. Wade, Frank D. Wilson, B. R. purposes.
Wheeler, Oliver E. Branch, George W. Prescott, Charles S.
Collins, their successors, associates, and assigns, shall be and are
hereby made a corporation by the name of the Salem Water-
Works Company, for the purpose of constructing a system of
water-works and supplying individuals and corporations in the
villages of Salem and Salem Depot, New Hampshire, with water
for domestic use, manufacturing purposes, and the extinguish-
ing of fires ; and by that name may sue and be sued, prosecute
and defend to final judgment and execution, and are hereby
vested with all the powers and subject to all the liabilities inci-
dent to corporations of a similar nature.

Capital stock. SECT. 2. The capital stock of said corporation shall consist of such number of shares, not exceeding one hundred dollars each, as may from time to time be determined by said corporation, not exceeding in the whole sum one hundred thousand dollars.

Meetings. SECT. 3. The annual and all special meetings of this corporation shall be held at such times and places, and upon such notice, as may be provided by the by-laws of the corporation.

May hold property; right to excavate. SECT. 4. Said corporation is empowered to purchase, and hold in fee simple or otherwise, any real or personal estate necessary for the carrying into effect the purposes of this act, and said corporation is authorized to enter upon and break ground, dig ditches, and make excavations, in any street, place, square, passageway, or highway through which it may be deemed necessary for the pipes and water-works of said company to pass, be, or exist, and for the purpose of placing its pipes, hydrants, structures, and such materials as may be deemed necessary for constructing said water-works, and to relay and repair the same, subject to such regulations as to the safety of citizens and the security of public travel as the selectmen of the town may prescribe.

May take certain property by eminent domain. SECT. 5. Said corporation is authorized to enter upon and appropriate the water known as Corbett's pond, and Policy pond, so called, in the county of Rockingham, and to secure said waters by fence or otherwise, and to dig ditches, make excavations and reservoirs through, over, in, or upon any land or inclosure through which it may be necessary for said pipes and water to pass, or said excavations, reservoirs, and water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting said water and placing such pipes and other material and works as may be necessary for building and operating such water-works or repairing the same; *provided*, that if it be necessary to enter upon and appropriate any land for the purpose aforesaid, or to raise or lower the level of said waters, and the said corporation shall not be able to agree with the owners thereof for the damages that may be done by said corporation, or the owner shall be unknown, either party may apply to the supreme court at a trial term in the county of Rockingham, have the same laid out and the damages determined, and said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as now provided by law for laying out highways. Said commissioners shall make report to said court, and said court may issue execution thereon accordingly; but if either party shall desire it, upon application to said court before reference to said commissioners, they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe.

May make contracts for water; may sell system to town of Salem. SECT. 6. Said corporation may make contracts with individuals and corporations, village and fire precincts, for supplying them with water and hydrant service, and may establish such tolls and charge such rents therefor as may be deemed reasonable,

and said corporation is hereby authorized, empowered, and shall sell to said town of Salem, or any fire precinct hereafter organized therein, all of its works, constructions, and estate, of whatever kind or nature, at the cost of said plant, whenever said town or fire precinct elects to purchase the same, and said town or fire precinct is hereby authorized and empowered to purchase or lease the same; and said corporation is authorized to borrow money to defray the cost of such water-works, water rights, and land damages, and may issue its notes, bonds, or obligations therefor, not exceeding one half its capital stock, actually paid in and unimpaired, payable in such times and at such rates of interest, not exceeding six per cent, as it may determine, and may, if it be deemed expedient, secure such notes, bonds, or obligations by a mortgage of all its estate, real, personal, and mixed, which mortgage shall be recorded in the office of the register of deeds for the county of Rockingham. This charter shall be forfeited unless said corporation shall have constructed said water-works, and have the same in operation, on or before the first day of September one thousand nine hundred and one.

SECT. 7. Any two of the first-named grantees may call the ^{First meeting.} first meeting of the corporation by giving a written or printed notice to the other members at least ten days before the day of meeting, or by leaving such notice at their last place of abode ten days before such meeting.

SECT. 8. The legislature may at any time alter, amend, or ^{Subject to repeal; takes effect on passage.} repeal this charter; and this act shall take effect upon its passage.

[Approved March 20, 1901.]

CHAPTER 254.

AN ACT TO INCORPORATE LA SOCIETE ST. JEAN BAPTISTE DE LACONIA, N. H.

SECTION

1. Corporation constituted; purposes.

SECTION

2. Rights and liabilities.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Napoleon Fecteau, Alfred A. Pickard, Paul E. Morin, Charles Paquette, Charles N. Lapierre, and Paul Morin, their associates, subscribers, and assigns, be and hereby are made a body politic and corporate by the name of La Société Saint Jean-Baptiste de Laconia, for religious, moral, and benevolent purposes; to provide for the sick and distressed members of the association, and to establish, by mutual agreements and payments, a fund out of which the members of the association may receive sick and death benefits. ^{Corporation constituted; purposes.}

Rights and
liabilities.

SECT. 2. Said corporation shall be empowered to adopt a constitution and enact by-laws not repugnant to the laws of the state, and which shall meet the approval of the insurance commissioner of said state, also to have and to use a common seal, to sue and to be sued, to defend and to be defended, and to be further vested with all the rights and subject to all the liabilities incident to corporations of a kindred nature.

[Approved March 20, 1901.]

CHAPTER 255.

AN ACT TO INCORPORATE THE SWEDISH SICK BENEFIT & BURIAL SOCIETY OF MANCHESTER, N. H.

SECTION

1. Corporation constituted; purposes.
2. May hold property.
3. First meeting.

SECTION

4. Takes effect on passage; subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
purposes.

SECTION 1. That Olaf P. Nyberg, C. A. Nordstrom, Ludwig Lindquist, William Nyberg, C. A. Levan, John A. Nelson, J. A. Lindquist, their associates and successors, be and hereby are made a body politic and corporate by the name of the Swedish Sick Benefit & Burial Society of Manchester, N. H., for charitable and benevolent purposes; to establish a sick benefit fund from which the members may receive sick and death benefits, and to make other provisions for such purposes, with all the powers and privileges and subject to all liabilities of corporations of a similar nature.

May hold
property.

SECT. 2. Said corporation may purchase, take, and hold by deed, gift, bequest, devise, or otherwise, real and personal estate for the purpose of the corporation to an amount not exceeding ten thousand dollars, and may improve, sell, and convey, or otherwise dispose of the same at pleasure.

First meet-
ing.

SECT. 3. Olaf P. Nyberg, or any three of the persons named herein, may call the first meeting of the corporation at such time and place and in such manner as they think proper.

Takes effect
on passage;
subject to
repeal.

SECT. 4. This act shall take effect upon its passage, and the legislature may alter, amend, or repeal the same whenever the public good may require.

[Approved March 20, 1901.]

CHAPTER 256.

AN ACT TO INCORPORATE THE J. Q. A. WARREN CAMP NO. 18, SONS OF
VETERANS, U. S. A., OF NASHUA, N. H.

SECTION

1. Corporation constituted; purposes;
may hold property, etc.
2. May establish sick fund.

SECTION

3. First meeting.
4. Takes effect on passage; subject to
repeal.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

SECTION 1. That Benjamin O. Roby, Edgar C. Damon, William White, George Sanders, William E. Caffrey, James Fifield, Mathew Sawyer, Robert Morrison, Frank Walters, and Lorenzo Cole, their associates and successors, be and are made a body politic and corporate by the name of The J. Q. A. Warren Camp No. 18, Sons of Veterans, U. S. A., of Nashua, N. H., for such moral, charitable, and benevolent purposes as said corporation may from time to time designate, and by that name may sue and be sued, prosecute and defend to final judgment, and shall be vested with all powers and privileges and subject to all the liabilities of corporations of a similar nature; and may take and hold real and personal estate, by donation or otherwise, for the purposes of said corporation, to an amount not exceeding twenty thousand dollars, and the same may sell, use, and dispose of at pleasure; and may make and establish such by-laws and regulations as may be necessary for the purposes of this act.

SECT. 2. Said association may establish a fund to provide for the care of sick and distressed members, and to pay sick benefits from said funds in such manner and in such amounts as may be determined by vote of said association.

SECT. 3. The first five of said grantees, or either of them, may call the first meeting of this corporation at such time and place as they may deem expedient and in such manner as they may think proper.

SECT. 4. This act shall take effect on its passage; and the legislature may at any time alter, amend, or repeal the same whenever in their opinion the public good requires it.

[Approved March 20, 1901.]

CHAPTER 257.

AN ACT TO INCORPORATE THE FATHER ELLIOTT CATHOLIC TOTAL
ABSTINENCE & MUTUAL BENEFIT SOCIETY OF MANCHESTER, N. H.

SECTION

1. Corporation constituted; purposes.
2. May hold property.
3. Sick and death benefits.

SECTION

4. First meeting.
5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

Corporation
constituted;
purposes.

SECTION 1. Patrick H. O'Malley, Patrick J. White, John D. Sullivan, Peter O'Reilly, James A. Sayers, and George J. Bachner, their associates and successors, be and hereby are made a body politic and corporate by the name of Father Elliott Catholic Total Abstinence & Mutual Benefit Society of Manchester, N. H., for the promotion of the cause of temperance; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges and made subject to all the liabilities of corporations of a similar nature.

May hold
property.

SECT. 2. Said corporation shall have power to hold real and personal estate by gift, bequest, or otherwise, to an amount not exceeding five thousand dollars, and may dispose of the same at pleasure.

Sick and
death
benefits.

SECT. 3. Said corporation may enact by-laws providing for the payment of weekly benefits to those of its members who may become sick, and for the payment of death benefits to the representatives of those of its members who may die.

First meeting.

SECT. 4. The first three persons named in this act may call the first meeting of said corporation by giving notice to each of the others at least two days before the date of said meeting.

Takes effect
on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 20, 1901.]

CHAPTER 258.

AN ACT TO ENABLE THE TOWN OF MILFORD TO ACQUIRE, OWN, AND
OPERATE AN ELECTRIC POWER AND LIGHTING PLANT.

SECTION

1. Electric plant may be constructed, purchased, or taken by right of eminent domain.
2. Board of lighting commissioners; election, and term of office.

SECTION

3. Compensation, organization, and duties of board; vacancy, how filled; report.
4. Town may raise \$25,000 for purpose.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the town of Milford in the county of Hills-
borough be and hereby is authorized, for the purpose of supplying
electricity for lighting its streets and public buildings and for
domestic and manufacturing uses in said Milford and adjoining
towns, to build or acquire by purchase an electric light and
power plant and to operate the same for purposes above stated,
or to take or purchase franchises of the Milford Electric Light
Company, including dynamos, batteries, wires, engines, boilers,
and all other machinery, tools, and apparatus used in the manu-
facture, distribution, and operation of said electric light works,
and the land and buildings connected and used therewith; and
should said town and said electric light company be unable to
agree upon what is a fair and equitable price for their said
property, either party may apply to the supreme court for the
county of Hillsborough, at a trial term thereof, for appraisal of
the value of said property, rights, and franchises; and said
court shall refer the question to three disinterested referees to be
selected and appointed by a judge of said court for that pur-
pose; and said board of referees shall, as soon as may be there-
after, fix a time for hearing said parties and their witnesses, and
report their findings to the supreme court, which shall issue its
decree thereon; and *provided, further*, that if either party shall
elect a trial by jury, upon application to said court for said ref-
erees, a trial by jury shall be had in such manner and under
such regulations as said court may prescribe; and after such
purchase or taking the said town, for the purpose aforesaid, may
erect and maintain poles and extend wires over or under the
streets in said town, and may take, purchase, and hold in fee
simple or otherwise any real or personal estate and any rights
therein necessary for carrying into effect the purposes of this
act; and may purchase, erect, construct, and maintain such
machinery, dams, reservoirs, buildings, and other things as may
be necessary for said electric light works, and to excavate and
dig ditches in any highway, place, square, pass-way, or com-
mon, or other place, through which it may be deemed necessary
and proper to construct said electric light works, and to relay,
change, and repair the same at pleasure, having due regard for
the safety of its citizens and the public travel.

Electric plant
may be
constructed,
purchased,
or taken by
right of
eminent
domain.

Board of
lighting
commission-
ers; election
and term of
office.

SECT. 2. For the more convenient management of said electric plant, the said town may place the construction, management, control, and direction thereof in a board of lighting commissioners, to consist of three citizens of the town, said commissioners to be vested with such powers and duties relating to the construction, control, and management of the same as may from time to time be prescribed by said town. Their term of office shall be for three years and until their successors are elected and qualified. The first board of commissioners may be chosen by the legal voters of the town at the next or any subsequent annual meeting, or at any special meeting duly called for that purpose, and their successors shall be elected at each annual meeting thereafter; *provided, however*, that of those first elected, the term of one shall expire at the first annual meeting after the first board is elected, one at the second annual meeting held thereafterwards, and one at the third annual meeting held thereafterwards, and after the first election one shall be elected for three years at each annual meeting, to fill the occurring vacancy; *provided, also*, that the term of service of the commissioners first elected shall be designated at the time of their election. Said commissioners may be appointed by the selectmen of said town if the town shall fail to elect, or if the town at any annual meeting vote to authorize and instruct the selectmen to make the appointment.

Compensation, organization, and duties of board; vacancy, how filled; report.

SECT. 3. The compensation of such commissioners shall be fixed by the town. They shall be sworn to the faithful discharge of their duties. They shall annually organize by choosing one of their number as chairman of their board, and another member as clerk of their board, who shall keep a proper record of their doings. Said board shall appoint a superintendent of the plant, and such other officers and agents as they may deem necessary; and they shall furnish the town clerk certificate of their organization and appointments, and the town clerk shall record the same in the records of the town. The commissioners shall fix the compensation of all officers and agents appointed by them, and all officers and agents shall be sworn to the faithful discharge of their duties. Whenever a vacancy shall occur in said board from any cause, the remaining members of the board shall certify that fact to the selectmen of the town, who shall fill such vacancy temporarily by appointing a citizen of said town in writing, which appointment shall be filed with the town clerk and recorded by him on the records of the town; and the person so appointed shall hold the office until the next annual town meeting after his appointment, when the town shall elect a commissioner to fill out the unexpired term, if any, of the person whose office became vacant and was so temporarily filled by appointment. Said commissioners shall annually make a report to the town, at the time other town officers report, of the condition of the lighting, heat, and power plant, financially and otherwise, showing the income from said plant, the funds belonging to their department, the expenses of maintenance and cost of plant and operating expenses, and such

other facts and information as the town should have, which report shall be published each year in the annual report of said town.

SECT. 4. Said town is also authorized and empowered at any annual meeting, by a two-thirds vote of those present and voting, to raise by taxation and appropriate, or to borrow or hire such sums of money on the credit of the town as may be deemed necessary and expedient for the purpose of defraying the expenses of purchasing real estate, rights in real estate, water rights, power and all other rights and property as aforesaid, and for purchasing, constructing, maintaining, repairing, and extending, enlarging, and operating said electric lighting, heat, or power plant, the indebtedness created under the provisions of this section not to exceed twenty-five thousand dollars, and to issue notes or bonds of the town therefor in such amounts and denominations as may be thought proper, not exceeding in all the amount above stated.

Town may
raise \$25,000
for purpose.

SECT. 5. This act shall take effect on its passage.

Takes effect
on passage.

[Approved March 20, 1901.]

CHAPTER 259.

AN ACT SEVERING THE HOMESTEAD OF JOHN H. S. WILLCOX FROM THE MILLVILLE SCHOOL DISTRICT OF THE CITY OF CONCORD, AND ANNEXING THE SAME TO THE UNION SCHOOL DISTRICT OF SAID CITY OF CONCORD.

SECTION

1. Homestead severed and annexed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the homestead of John H. S. Willcox is hereby severed from the Millville school district of the city of Concord, and said premises are hereby annexed to the Union school district of the city of Concord for school purposes.

Homestead
severed and
annexed.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 20, 1901.]

CHAPTER 260.

AN ACT TO INCORPORATE THE INTIMATE FRIENDS, OF MANCHESTER,
N. H.

SECTION

1. Corporation constituted; purposes.
2. May hold property.
3. First meeting.

SECTION

4. Subject to repeal.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
purposes.

SECTION 1. That Albin Gustafson, Claes Anderson, John Rydin, Charles Lindquist, C. Wm. Gustafson, Gustaf Oberg, Alex. Sandlund, Carl E. Rydin, their associates and successors, be and hereby are made a body politic and corporate by the name of Intimate Friends, of Manchester, N. H., for social and benevolent purposes, to have a place of meeting where discussions, readings, and lectures on instructive subjects will be held, for the benefit and social improvement of its members, and to make provisions for a sick benefit for its members in case of sickness, and to provide a fund, and make other provisions for said purposes; said fund to be accumulated and all payments from it made in accordance with the constitution and by-laws made and adopted by said corporation.

May hold
property.

SECT. 2. Said corporation may purchase, take, and hold by deed, gift, bequest, devise, or otherwise, real and personal estate for the purposes of the corporation to an amount not exceeding five thousand dollars, and may improve, sell, and convey, or otherwise dispose of the same at pleasure.

First meeting.

SECT. 3. Albin Gustafson, Claes Anderson, John Rydin, Charles Lindquist, or any two of the above-named persons may call the first meeting of this corporation at such time and place and in such manner as they think proper.

Subject to
repeal.

SECT. 4. The legislature may alter, amend, or repeal this act whenever the public good may require.

Takes effect
on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 20, 1901.]

CHAPTER 261.

AN ACT TO INCORPORATE THE KEENE, MARLOW & NEWPORT ELECTRIC RAILWAY COMPANY.

SECTION

1. Corporation constituted; purposes; route.
2. Capital stock.
3. How located in highways.
4. How located elsewhere.
5. Location of tracks.
6. Selectmen may make certain regulations.

SECTION

7. Rights reserved to towns.
8. Company to keep highways in repair.
9. Subject to general law.
10. First meeting.
11. Takes effect on passage; void as to parts not built in two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Elgin A. Jones, Perley E. Fox, Rockwell F. Craig, Leander B. Huntley, George A. Petts, Frank B. Farley, Herbert B. Adams, John S. Collins, Francis C. Minor, Israel A. Loveland, John A. Smith, Mason A. Carpenter, Frank E. Nesmith, Frank E. Ellis, Frederick R. Crain, and Newton D. Reed, their associates, successors, and assigns, are hereby made a corporation by the name of the Keene, Marlow & Newport Electric Railway Company, with power to construct, maintain, and operate a railway, with convenient sidings, turnouts, and switches, from some convenient point on the south line of the town of Surry, near Ashuelot river, through the towns of Surry, Gilsun, Marlow, Lempster, and Goshen, over and upon such highways and lands as may be necessary, to some convenient point in the town of Newport; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

SECT. 2. The capital stock of said corporation shall not exceed three hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

SECT. 3. All parts of said railway occupying any portion of the public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of

the time and place at which they will consider said petition for location in the public highways of said town; and after a public hearing of all persons interested they may make an order granting the same or any portion thereof under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change, but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change of location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

How located
elsewhere.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

Location of
tracks.

SECT. 5. The selectmen of the towns through which said railway shall pass shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Selectmen
may make
certain
regulations.

SECT. 6. The selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interest or convenience of the public may require; and all the designations, orders, rules, and regulations thus made or established and all locations made by selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any

time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall upon notice hear the parties and finally determine the questions raised by said appeal.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation. Rights reserved to towns.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks. Company to keep highways in repair.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws except as modified by the provisions herein. Subject to general law.

SECT. 10. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of the meeting. First meeting.

SECT. 11. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage. Takes effect on passage; void as to parts not built in two years.

[Approved March 21, 1901.]

CHAPTER 262.

AN ACT TO INCORPORATE THE SEABROOK & HAMPTON BEACH STREET RAILWAY COMPANY.

SECTION

- 1. Corporation constituted; purposes; route.
- 2. Capital stock.
- 3. How located in highways.
- 4. How located elsewhere.
- 5. Location of tracks.
- 6. Selectmen may make certain regulations.

SECTION

- 7. Rights reserved to towns.
- 8. Company to keep highways in repair.
- 9. Subject to general law.
- 10. First meeting.
- 11. Takes effect on passage; void as to parts not built in one year.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Warren Brown, A. E. McReel, R. N. Elwell, W. D. Lovell, John W. Dow, Frank Brown, Otis H. Whittier, Corporation constituted; purposes; route.

W. H. C. Follansby, and Arthur O. Fuller, their associates, successors, and assigns, are hereby made a corporation by the name of the Seabrook & Hampton Beach Street Railway Company, with power to construct, maintain, and operate a railway, with single or double track, with convenient sidings, turnouts, and switches, from a convenient point on the line of the Exeter, Hampton & Amesbury Street Railway in Seabrook, over and upon such highways, bridges, public and private lands and navigable waters in said Seabrook as may be necessary for the public accommodation, upon and along Seabrook beach in said Seabrook, crossing the Hampton river upon any public bridge which may be now or hereafter erected over said river, and over and upon such highways, bridges, and public and private lands in the town of Hampton as may be necessary for the public accommodation, to some convenient point upon the line of the said Exeter, Hampton & Amesbury Street Railway Company in said Hampton; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery, for the generation of electricity or other motive power, except steam, for the operation of said railway. Said corporation may purchase or lease real estate, and purchase, lease, or construct suitable pavilions, casinos, restaurants, hotels, bridges, and other buildings and structures, for the convenience, entertainment, and comfort of the public. Said corporation shall have the power to construct and maintain across the Hampton river, upon the line of its road, a suitable bridge for the accommodation of its tracks, poles, and wires, such bridge to be constructed according to the provisions of the general laws of this state.

Capital stock. SECT. 2. The capital stock of said corporation shall not exceed fifty thousand dollars, and shall be divided into shares of a par value of one hundred dollars each, but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

How located in highways. SECT. 3. All parts of said railway occupying any portion of the public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town; and, after a public hearing of all persons interested, they may make an order granting the same or any portion thereof, under such restrictions and upon such

conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change, but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change of location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges, and be subject to all the duties, restrictions, and liabilities contained in said chapter. How located elsewhere.

SECT. 5. The selectmen of the towns through which said railway shall pass shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal. Location of tracks.

SECT. 6. The selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of material to be used in the construction of said railway within their said towns, and may, from time to time, make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts, within any highway in their respective towns, as the interest or convenience of the public may require; and all the designations, orders, rules, and regulations thus made or established, and all locations made by selectmen, shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall upon notice hear the parties and finally determine the questions raised by said appeal. Selectmen may make certain regulations.

Rights reserved to towns.

SECT. 7. Said towns for any lawful purpose may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Company to keep highways in repair.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks, and shall be liable for any damage, loss, or injury that any person, not in its employ, may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Subject to general law.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 10. Any of the three grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of the meeting.

Takes effect on passage; void as to parts not built in one year.

SECT. 11. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within one year from its passage.

[Approved March 21, 1901.]

CHAPTER 263.

AN ACT TO AMEND CHAPTER 277, LAWS OF 1887, APPROVED SEPTEMBER 30, 1887, ENTITLED "AN ACT TO EXTEND THE LINE OF THE BLACK ROCK & SALISBURY BEACH RAILROAD, TO BE KNOWN AS THE BLACK ROCK & SALISBURY BEACH RAILROAD IN NEW HAMPSHIRE."

SECTION

1. Original act void unless road built by October 1, 1901.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Original act void unless road built by Oct. 1, 1901.

SECTION 1. Chapter 277 of the Laws of 1887, entitled "An act to extend the line of the Black Rock & Salisbury Beach Railroad in New Hampshire," is hereby amended as follows: Add to section 2 of said act the following: If the railroad authorized by this act shall not be fully constructed and ready for operation on or before October 1, 1901, then the said act shall be wholly

void and inoperative, and is hereby repealed; *provided, however*, if there shall be any enforced delay in locating, constructing, or equipping said railroad by any legal proceedings, the time of such delay shall be added to October 1, 1901, within which said railroad shall be constructed and ready for operation as aforesaid, so that said section 2 as amended will read as follows:

SECT. 2. Said corporation is authorized and empowered to locate, construct, and maintain a railroad, not exceeding six rods in width, with the necessary additions or excavations and embankments, from the present terminus of the Black Rock & Salisbury Beach Railroad, in the town of Salisbury, Massachusetts, at the state line, along the beach in the town of Seabrook, in this state, to the south bank of the Hampton river, in said town of Seabrook, with the right to connect with any railroad at or within the termini aforesaid. If the railroad authorized by this act shall not be fully constructed and ready for operation on or before October 1, 1901, then the said act shall be wholly void and inoperative, and is hereby repealed; *provided, however*, if there shall be any enforced delay in locating, constructing, or equipping said railroad by any legal proceedings, the time of such delay shall be added to October 1, 1901, within which said railroad shall be constructed and ready for operation as aforesaid.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 21, 1901.]

CHAPTER 264.

AN ACT IN AMENDMENT OF CHAPTER 249 OF THE SESSION LAWS OF 1893, ENTITLED "AN ACT TO INCORPORATE THE BRISTOL STREET RAILWAY."

SECTION

1. Charter amended.

SECTION

2. No fee required; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of said chapter is hereby amended by striking out the words "but no part of said railway shall be laid or built upon that portion of Pleasant and Lake streets lying between Central square and the dwelling-house known as the Kiah Wells premises in said Bristol," so that as amended said section shall read:

SECTION 1. That Richard W. Musgrove, Cyrus Taylor, John H. Brown, George H. Calley, Ira A. Chase, Samuel P. Train, Benjamin F. Perkins, Kenson E. Dearborn, and Smith D. Fellows, their associates, successors, and assigns, are hereby made a body corporate by the name of The Bristol Street Railway,

with power to construct, maintain, and use a railway, with convenient single or double track, over, along, and upon such highways, bridges, and lands in Bristol, in the county of Grafton, as may be necessary for the public accommodation, with the privilege at any time of extending the same into and through the town of Bridgewater to some convenient point in the town of Hebron contiguous to Newfound lake, and to erect and maintain, in and upon any such land, street, highway, or bridge, poles, wires, and all necessary appliances to operate said road by electricity, supplied by means of a single or double overhead line or conductor, or by any other motive power except steam. Said corporation may also construct and maintain suitable buildings, engines, electrical and other machinery and apparatus.

No fee
required;
takes effect
on passage.

SECT. 2. This act shall not be subject to the provisions of section 5, chapter 14 of the Public Statutes, and shall take effect upon its passage.

[Approved March 21, 1901.]

CHAPTER 265.

AN ACT TO ESTABLISH WATER-WORKS IN THE TOWN OF JAFFREY, IN
THE COUNTY OF CHESHIRE.

SECTION

1. Construction of water-works authorized.
2. Right of eminent domain.
3. May contract to supply water.
4. Board of water commissioners.
5. Compensation and duties; vacancy, how filled; report.

SECTION

6. Town authorized to raise \$50,000 for purpose.
7. Taxation for payment of debt.
8. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Construction
of water-
works
authorized.

SECTION 1. That the town of Jaffrey, in the county of Cheshire, is hereby authorized and empowered to construct, manage, maintain, and own suitable water-works, for the purpose of introducing into and distributing through the villages in said town, or any part of said town, an adequate supply of pure water, in subterranean pipes, for extinguishing fires and for the use of its citizens and others, and for such other public, private, and mechanical purposes as said town may from time to time authorize and direct; and for that purpose may take, purchase, and hold, in fee simple or otherwise, any real or personal estate, and any rights therein, and water-rights, and do all other things necessary for carrying into effect the purposes of this act, and to excavate and dig canals and ditches in any street, place, square, passage-way, highway, common, or other land or place, over or through which it may be deemed necessary and proper for

building, constructing, and extending said water-works, and may re-lay, change, enlarge, and extend the same from time to time whenever said town shall deem necessary, and repair the same at pleasure, having due regard for the safety and welfare of its citizens and security of the public travel.

SECT. 2. Said town is authorized and empowered to enter upon and take water from Bullet pond, in the town of Rindge, and to enter upon, take, and appropriate any streams, springs, or ponds in the town of Jaffrey not belonging to any aqueduct company, and to enter upon, take, and appropriate any streams, springs, or ponds not belonging to any aqueduct company, and to secure, by fence or otherwise, such streams, springs, ponds, or lake, and dig ditches and canals, make excavations or reservoirs, through, over, in, or upon any land or inclosure through which it may be necessary for said water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting water for said purposes, and placing such pipes or other materials, or works, as may be necessary for building and operating such aqueduct and water-works, or for repairing the same; *provided*, if it shall be necessary to enter upon and appropriate any stream, spring, pond, or lake, or any land, for the purposes aforesaid, or to raise or lower the level of the same by dams or otherwise, and if said town shall not agree with the owner or owners thereof for the damage that may be done by said town, or such owner or owners shall be unknown, said town, or said owner or owners or party injured, may apply to the trial term of the supreme court for the county within which such stream, spring, pond, lake, or land is situate to have the same laid out and the damages determined, and that said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as is now provided by law for laying out highways, and said commissioners shall make report to said court, and said court may issue execution accordingly; if either party shall desire, they shall be entitled to a trial by jury, in such manner and under such regulations as the court may prescribe, in the same manner as appeals from the award of damages in the case of laying out of highways.

SECT. 3. Said town is authorized and empowered to contract with individuals and corporations, whether citizens of said town or not, for supplying them with water for any of the purposes herein named or contemplated, and to make such contracts and establish such regulations and tolls for the use of water for any of said purposes as may from time to time be deemed proper and necessary to enjoy the provisions of this act.

SECT. 4. For the more convenient management of said water-works, the said town may place the construction, management, control, and direction of said water-works in a board of water commissioners, to consist of three citizens of the town, said commissioners to be vested with such powers and duties relating to the construction, control, and management of the same as may

Right of
eminent
domain.

May contract
to supply
water.

Board of
water com-
missioners.

from time to time be prescribed by said town. Their term of office shall be for three years, and until their successors are elected and qualified. The first board of commissioners may be chosen by the legal voters of the town at the next annual meeting, or at any special meeting duly called for that purpose, and their successors shall be elected at each annual meeting thereafter; *provided, however*, that of those first elected, the term of one shall expire at the first annual meeting after the first board is elected, one at the second annual meeting held thereafterwards, and one at the third annual meeting held thereafterwards, and after the first election one shall be elected for three years at each annual meeting to fill the occurring vacancy; *provided, also*, that the term of service of the commissioners first elected shall be designated at the time of their election, or said commissioners may be appointed by the selectmen of said town if the town fail to elect, or if the town at any meeting vote to authorize and instruct the selectmen to appoint said water commissioners.

Compensation and duties; vacancy, how filled; report.

SECT. 5. The compensation of said commissioners shall be fixed by the town. They shall be sworn to the faithful discharge of their duties. They shall annually organize by choosing one of their number as chairman of their board, and said board shall appoint a clerk and a superintendent of the works, and such other officers and agents as they may deem necessary, and shall thereupon furnish the town clerk a certificate of such organization, and the town clerk shall record the same in the records of the town. The commissioners shall fix the compensation of all officers and agents appointed by them, and all officers and agents shall be sworn to the faithful discharge of their duties. Whenever a vacancy shall occur in said board from any cause, the two remaining members of the board shall fill such vacancy temporarily by appointing a citizen of said town, in writing, which shall be filed with the town clerk and recorded by him on the records of the town; and the person so appointed shall hold the office until the next annual town meeting after his appointment, when the town shall elect a commissioner to fill out the unexpired term, if any, of the person whose office became vacant and was so temporarily filled by appointment. Said commissioners shall annually make a report to the town, at the same time other town officers report, of the condition of the water-works financially and otherwise, showing the funds belonging to their department, and the expenses and income thereof, with such other facts and information as the town should have, which report shall be published in the annual report of said town each year.

May raise \$50,000 for purpose.

SECT. 6. Said town is also authorized and empowered, at any annual, special, or biennial meeting, by a major vote of those present and voting, to raise by taxation and appropriate, or to borrow or hire, such sums of money on the credit of the town as may from time to time be deemed necessary and expedient, for the purpose of defraying the expenses of purchasing real estate,

rights in real estate, water rights, streams, springs, ponds, lakes, and other rights and property, as aforesaid, and for constructing, maintaining, repairing, extending, enlarging, and operating said water-works, such indebtedness not to exceed at any one time fifty thousand dollars, and to issue notes or bonds of the town therefor, in such amounts and payable at such time or times and at such rates of interest as may be thought proper, and may exempt such notes or bonds from taxation when held by inhabitants of the town, said notes and bonds to be signed by at least a majority of the selectmen and countersigned by the town treasurer.

SECT. 7. Said town is hereby authorized and empowered to raise by taxation and pay each year the interest of the notes and bonds so issued, and such part of the principal as the town may determine at any annual meeting. Taxation for
payment of
debt.

SECT. 8. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 21, 1901.]

CHAPTER 266.

AN ACT SEVERING THE HOMESTEAD OF JOHN H. MERCER FROM THE TOWN DISTRICT OF THE CITY OF CONCORD, AND ANNEXING THE SAME TO THE UNION SCHOOL DISTRICT OF SAID CITY OF CONCORD.

SECTION

1. Homestead severed and annexed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the homestead of John H. Mercer is hereby severed from the town school district of the city of Concord, and said premises are hereby annexed to the Union school district of the city of Concord for school purposes. Homestead
severed and
annexed.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 21, 1901.]

CHAPTER 267.

AN ACT SEVERING THE HOMESTEAD OF HARRY A. SARGENT FROM THE SHOESTRING DISTRICT, SO CALLED, IN CONCORD, AND ANNEXING THE SAME TO THE TOWN OF CANTERBURY FOR SCHOOL PURPOSES.

SECTION

1. Homestead severed and annexed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Homestead
severed and
annexed.

SECTION 1. That the homestead farm of Harry A. Sargent be disannexed from the Shoestring district, so called, in Concord, and be annexed to the town of Canterbury for school purposes.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 21, 1901.]

CHAPTER 268.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF CONCORD,
RELATING TO THE ASSESSMENT OF TAXES.

SECTION

1. Board of assessors created; appointment; vacancies, how filled; power of removal.

2. Compensation of members.

3. Board to hold office from January 1, 1903.

SECTION

4. Assistants; compensation.

5. Act not in force unless adopted at election in 1902.

6. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Board of
assessors
created;
appointment;
vacancies,
how filled;
power of
removal.

SECTION 1. A board of assessors of the city of Concord is hereby created, to consist of three members, one of whom shall act as chairman, and be so designated at the time of his appointment, and who shall also act as secretary and keep a record of the organization of the board, the members present at each meeting, and of all the business transacted; and when the business of the board shall be completed shall deliver said record to the city clerk, and perform such other services in his said office of secretary as the board of assessors may require. The board so created shall constitute the board of assessors of said city, and shall exercise all the powers and be subject to all the liabilities and duties of assessors in towns and cities in this state. It shall also be subject to such further duties as the city govern-

ment, by ordinance, prescribes, and be subject to all the ordinances of the city now in force relating to assessors, so far as the same are applicable and not inconsistent with this act.

The three members of said board shall first be appointed in the month of November, 1902, one for one year, one for three years, and one for five years, to serve respectively from January 1, 1903, and until their successors are chosen and qualified. In the month of November of the first year of each municipal term thereafter, one member of said board shall be appointed to serve for six years from the first of January next ensuing, and until his successor is chosen and qualified, to succeed the member whose term of office then expires. The assessors provided for by this act shall be appointed by the mayor and confirmed by the city council in joint convention at the next regular meeting after the appointment is made, or at a special meeting called for that purpose, which shall not be held within ten days after said appointment is made. If the council shall fail to confirm the appointment so made by the mayor, a new appointment may be made by the mayor at any regular meeting or at any special meeting of the city council called for that purpose, which shall be confirmed in the same manner as hereinbefore provided.

Vacancies occurring in the board from any cause may be filled by appointment by the mayor subject to confirmation by the city council in joint convention in like manner. In case any member of the board is unable, by reason of physical or mental disability, to perform the duties of the office, a declaration to that effect shall be made by the city council in joint convention, and a new member appointed in place of the member so disqualified. Any person appointed to fill a vacancy, or to take the place of a member who has been declared to be physically or mentally incapable of performing his duties, shall hold office for the unexpired term of such member. Any vacancy in the office of chairman shall be filled by appointment by the mayor subject to confirmation by the city council acting in joint convention in the manner hereinbefore provided, the person so appointed to act as chairman until the expiration of his term of office as a member of the board. At no time shall more than two members of the board belong to one political party. Any assessor may be removed from office by the mayor, a majority of the city council in joint convention concurring. The person appointed to fill the vacancy shall be of the same political party as the assessor removed.

SECT. 2. The members of said board shall each receive the sum of eight hundred dollars annually in full for all services. The chairman of the board shall receive four hundred dollars additional for his services as chairman and secretary, and shall devote his whole time to the service of the city.

Compensation of members.

SECT. 3. The board hereby created, from and after January 1, 1903, shall supersede and take the place of the assessors then holding office or who have been elected by virtue of an election under the city charter.

Hold office from Jan. 1, 1903.

Assistants;
compensa-
tion.

SECT. 4. The board of assessors hereby created may employ each year suitable persons, not exceeding one from each ward, to take the list of ratable polls in such of the wards as they may deem necessary. The compensation of such assistants shall be two dollars and fifty cents per day for such period, not exceeding two weeks, as may be requisite to complete said list.

Act not in
force unless
adopted at
election of
1902.

SECT. 5. This act shall not be in force until it is accepted by a majority vote at the biennial election to be holden in the city of Concord on the Tuesday next following the first Monday in November, 1902; and if so accepted shall immediately be in force. The selectmen of the several wards in said city of Concord are directed to insert in their warrants calling town meetings for said biennial election an article which shall require the sense of the qualified voters to be taken on the following question, namely: Shall the provisions of an act entitled "An act in amendment of the charter of the city of Concord, relating to the assessment of taxes," be adopted? The secretary of state, in the preparation of the ballots for use in the biennial election in November, 1902, for the city of Concord, shall have printed on the ballots the following question: Shall the provisions of an act entitled "An act in amendment of the charter of the city of Concord, relating to the assessment of taxes," be adopted? and shall so arrange the form of the ballots that the sense of the voters may be taken on the question. The ward clerks of the several wards in said city shall within two days after said election make return to the city clerk of Concord of the number of votes cast for and also of the number of votes cast against the adoption of said act, and the city clerk shall tabulate said returns and certify the same immediately to the city council.

Repealing
clause; act
takes effect
on passage.

SECT. 6. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 21, 1901.]

CHAPTER 269.

AN ACT TO INCORPORATE THE NORTHERN FIDELITY & TRUST COMPANY.

SECTION

1. Corporation constituted; powers.
2. To be under supervision of bank commissioners.
3. Capital stock.

SECTION

4. Taxation of capital stock.
5. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
powers.

SECTION 1. William H. C. Follansby, Edwin G. Eastman, Charles G. Moulton, John N. Thompson, Thomas H. Dearborn, James B. Brown, and Henry F. Hollis, their associates, succes-

sors, and assigns, are hereby made a body corporate by the name of the Northern Fidelity & Trust Company, with all the powers and privileges incident to corporations of a similar nature, for the purpose of prosecuting the business of a safe deposit, trust, and indemnity company; to receive on deposit, or for safe keeping, money and other valuables, the funds of trustees, guardians, executors, or others; to make and negotiate loans; to loan, borrow, and deal in money and securities; to issue and become surety upon official, indemnity, and other bonds; to act as trustee, guardian, executor, receiver, agent, or in any other representative capacity under judicial appointment or otherwise; to issue, register, and countersign certificates of stock, bonds, or other evidences of indebtedness, and to receive and make payments on account of the same, and to do a general banking business.

SECT. 2. Said corporation shall be entitled to the privileges and powers granted to foreign surety companies by chapter 172 of the Public Statutes, and it shall be under the sole supervision of the bank commissioners. To be under supervision of bank commissioners.

SECT. 3. Said corporation shall have a capital of one hundred thousand dollars, divided into shares of one hundred dollars each, and may acquire and hold real estate for its own use not to exceed the amount of its capital stock. No business shall be begun under this charter until the sum of one hundred thousand dollars shall have been paid in in cash and a certificate of such payment, verified by the oath of a majority of the directors, shall have been filed in the office of the secretary of state. After the filing of such certificate the private property of shareholders shall not be liable for the debts or obligations of the corporation. Capital stock.

SECT. 4. The provisions of law now or hereafter in force governing the taxation of the capital stock in banks and trust companies shall apply to this corporation. Taxation of capital stock.

SECT. 5. The legislature may alter, amend, or repeal this act whenever in their opinion the public good requires it, and this act shall take effect upon its passage. Subject to repeal; act takes effect on passage.

[Approved March 21, 1901.]

CHAPTER 270.

AN ACT IN AMENDMENT OF CHAPTER 191 OF THE LAWS OF 1899, ENTITLED "AN ACT TO INCORPORATE THE CITIZENS' INSTITUTION FOR SAVINGS OF NASHUA."

SECTION

1. Number of trustees increased.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Number of
trustees
increased.

SECTION 1. Amend chapter 191 of the Laws of 1899, section 4, by striking out the word "nine" in the ninth line thereof and inserting instead the word thirteen, so that the said section as amended will read as follows:

Said corporation, at its first meeting under this act and at any annual meeting thereafter, shall have power to elect, by ballot and major vote of those present, other persons as members of this corporation, not exceeding fifty, including those who are at the time of such election members thereof. At the first meeting of said corporation, and at each subsequent annual meeting, there shall be chosen, in the same manner from among the members, a clerk and a board of trustees, not exceeding thirteen in number, who shall hold their office until others are elected and qualified in their stead. The management of the business of said savings bank shall be committed to said trustees, under the restrictions of the by-laws and the laws of the state. Any vacancy in the board of trustees shall be filled at a special meeting of said corporation called for that purpose. Said corporation at [its] first meeting shall enact [such] by-laws for the government and management of its business as shall not be incompatible with the laws of the state, and may from time to time, at the annual meetings or at a special meeting called for that purpose, alter and amend the same; but no by-law or regulation shall take effect or be in force until the same shall have been approved by the bank commissioners. Said corporation shall at its first meeting adopt a common seal, which may be changed and renewed at pleasure, and all deeds, conveyances, grants, covenants, and agreements made by the president of said bank, or any other person, acting under the authority of the board of trustees, shall be good and valid in law.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 21, 1901.]

CHAPTER 271.

AN ACT TO PERMIT THE PROPRIETORS OF THE STRATHAM AND NEW-MARKET BRIDGE TO SELL AND CONVEY ITS PROPERTY AND FRANCHISES, AND TO INCREASE AND REGULATE ITS TOLLS.

SECTION

1. Sale of corporate property authorized.
2. May adjust rates of toll.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The proprietors of the Stratham and Newmarket Bridge are hereby authorized and empowered to sell and convey all the property and franchises of said corporation, upon such terms and to such person or corporation as it may, by vote at a legal meeting, direct; *provided*, that all obligations of said corporation, existing at the time of such sale, shall be first paid and discharged. Sale authorized.

SECT. 2. Said corporation is hereby authorized and empowered to increase, adjust, and regulate the rates of toll granted to it by its charter in 1807. May adjust rates of toll.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act takes effect upon its passage. Repealing clause; act takes effect on passage.

[Approved March 21, 1901.]

CHAPTER 272.

AN ACT TO INCORPORATE THE MILTON WATER-WORKS COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. Meetings.
4. May hold property; right to expropriate.
5. Right of eminent domain.
6. Appeal from award of damages.
7. May contract to supply water; issue of bonds.

SECTION

8. Towns authorized to contract with company.
9. If water-works transferred to town, water commissioners may be appointed.
10. First meeting.
11. Takes effect on passage; subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Malcom A. H. Hart, Charles H. Looney, S. Lyman Hayes, Charles D. Jones, Fred B. Roberts, Harry L. Avery, George E. Wentworth, Joseph H. Avery, Ira W. Jones, Corporation constituted; purposes.

Arthur W. Dudley, Everett F. Fox, Henry F. Townsend, Freeman H. Lowd, William T. Wallace, Frank G. Horne, Charles A. Jones, Nathaniel G. Pinkham, their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Milton Water-Works Company, for the purpose of bringing water into the town of Milton and villages therein, for domestic and mechanical purposes, the extinguishment of fires, and such other purposes as may be deemed necessary and proper; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Capital stock. SECT. 2. The capital stock of said corporation shall consist of such number of shares of one hundred dollars each as may be from time to time determined by the directors of said corporation, not exceeding in the whole the sum of forty thousand dollars.

Meetings. SECT. 3. The annual and all special meetings of the corporation shall be held at such times and places and upon such notice as may be provided by the by-laws of the corporation, and such officers and agents may be chosen as therein provided.

May hold property; right to excavate. SECT. 4. Said corporation is empowered to purchase and hold, in fee simple or otherwise, any real and personal estate necessary for the carrying into effect the purposes of this act; and said corporation is authorized to enter upon and break ground, dig ditches, and make excavations in any street, place, square, passageway, or highway through which it may be deemed necessary for the pipes, hydrants, aqueduct, and water-works of said corporation to pass, be, or exist, for the purpose of placing said pipes, hydrants, aqueduct, and water-works, and such other material as may be deemed necessary for building said aqueduct and water-works, and to relay, repair, and change the same, subject to such regulations as to the safety of the citizens and security of the public travel as may be prescribed by the selectmen of said Milton.

Right of eminent domain. SECT. 5. Said corporation is authorized to enter upon and appropriate any springs, streams, rivers, or ponds in said Milton, or in the adjoining town of Middleton; also to bore for subterranean waters, and to secure the same by fences or otherwise, and erect, construct, and maintain such dams, reservoirs, and buildings as may be necessary for such water-works and aqueduct, and dig ditches and make excavations and reservoirs through, over, in, or upon any land or inclosure through which it may be necessary for the pipes and water to pass, or said excavations, reservoirs, aqueduct, buildings, and water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting said water, and placing such pipes, other materials, or works as may be necessary for building or operating such aqueduct and water-works, or repairing the same; *provided*, if it shall be necessary to enter upon and appropriate any streams,

springs, rivers, or ponds, or any land for the purpose aforesaid, or to raise or lower the level of the same, and if said corporation shall not agree with the owners for the damage that may be done by said corporation, or such owners shall be unknown, said corporation may apply to the trial term of the supreme court for the county of Strafford, to have the same laid out and the damages determined, and the said court shall refer the same to the county commissioners of said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as is now provided by law for laying out highways; and said commissioners shall lay out the same, determine the damages, and report to said court, and said court may issue execution accordingly.

SECT. 6. The same right of appeal from such award of damages shall exist as in the case of lands taken for highways by county commissioners. Appeal from award of damages.

SECT. 7. Said corporation may contract with individuals and corporations for supplying them with water, and establish such regulations and rents for the use of water as may from time to time be deemed proper; and said corporation is authorized to borrow money to defray the cost of such aqueduct and water-works, and to issue their notes or bonds therefor, and to secure the same by a mortgage of all their estate. May contract to supply water; issue of bonds.

SECT. 8. Said town of Milton, or any fire district now or hereafter organized in said town, is hereby authorized and empowered to make contracts with said corporation for a supply of water and the establishment of hydrants for the extinguishment of fires and other necessary and proper uses, and to lease or purchase their franchise, works, structures, and estate, of any kind whatever, and may raise and appropriate money for such purposes, and may borrow or hire money therefor on the credit of said town or fire district, and may issue notes and bonds therefor, first being instructed to do any of said things, in the same manner as is prescribed for the appropriation of money by towns in chapter 40, section 4, of the Public Statutes. Said town of Milton, or any fire district hereafter organized in said town, is further authorized or empowered to purchase this charter of the corporators at any time before any business is done hereunder, for a sum not to exceed one hundred and fifty dollars. Town authorized to contract with company.

SECT. 9. If said town, or any fire district therein now or hereafter organized, shall lease or purchase, as aforesaid, the franchise, works, structures, and estate of said corporation, said town or said fire district, for the more convenient management of said water-works, may place them under the direction and control of a superintendent or board of water commissioners, or both, and the selectmen of said town or the firewards of said district are hereby authorized and empowered to appoint such superintendent or board of commissioners, with such powers and duties as may from time to time be prescribed by said town or fire district. If water-works transferred to town, water commissioners may be appointed.

First meeting. SECT. 10. Any two of the corporators named in this act may call the first meeting of the corporation, by giving or mailing a notice in writing to each of said corporators of the time and place of meeting five days previous to said meeting, and at said meeting, or any adjourned meeting thereof, or at any subsequent meeting duly called, associates may be admitted and all proper officers chosen, the number of shares fixed, and such by-laws and regulations adopted as may be deemed necessary to carry into effect the purposes of this act.

Takes effect
on passage;
subject to
repeal.

SECT. 11. This act shall take effect upon its passage, and the legislature may alter, amend, or repeal the same whenever the public good requires.

[Approved March 21, 1901.]

CHAPTER 273.

AN ACT TO AMEND CHAPTER 100 OF THE LAWS OF 1871, BEING AN
ACT TO INCORPORATE THE ODD FELLOWS' BUILDING ASSOCIATION.

SECTION

1. Charter amended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter
amended.

SECTION 1. That chapter 100, section 2, of the Laws of 1871, be amended by adding thereto after the words "Willey Lodge No. 45" the words, Ridgely Lodge No. 74, so that the section as amended shall read as follows:

Said corporation is authorized and empowered to erect, maintain, and have the care and management of such buildings as may be erected upon the lot of land in Manchester owned by Hillsborough Lodge No. 2, Mechanics' Lodge No. 13, Willey Lodge No. 45, and Ridgely Lodge No. 74 of the Independent Order of Odd Fellows in said Manchester.

Amend section 4 by adding after the words "Willey Lodge No. 45" the words, Ridgely Lodge No. 74, and in said section 4 strike out the words "nine" and "fifteen" and add in their places respectively the words, twelve and twenty, so said section as amended shall read as follows:

SECT. 4. Members of said corporation shall be members of said Hillsborough Lodge No. 2, Mechanics' Lodge No. 13, Willey Lodge No. 45, and Ridgely Lodge No. 74, one third in number from each of said lodges, and such members may be designated and the manner of their selection and their term of membership fixed as said lodges respectively may determine,

but the whole number of members of said corporation shall not be less than twelve nor more than twenty.

Amend section 5 by striking out in the second line the words "said lot of land with the buildings thereon" and adding in their place the words, any lands of said association; and in the fifth line of said section 5 strike out the word "fifty" and add in its place the words, one hundred, so said section shall read as follows:

SECT. 5. Said corporation may issue its bonds, secured by a mortgage of any lands of said association, to said corporation as trustees for the benefit of the holders of said bonds, duly executed by the trustees of said lodges, to an amount not exceeding one hundred thousand dollars, at such rate of interest, payable at such times and upon such conditions and limitations, as may be determined by the corporation, which bonds shall be under the seal of the corporation and signed by the president and treasurer, and the proceeds thereof shall be applied by the president, treasurer, and secretary to carry out the purposes of this act, and shall be valid and binding upon the corporation.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 21, 1901.]

CHAPTER 274.

AN ACT PROVIDING FOR THE PAYMENT OF SALARIES TO THE ALDERMEN AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF CONCORD, N. H.

SECTION

1. Annual salaries of aldermen.
2. Annual salaries of councilmen.
3. When payable; deduction for non-attendance.

SECTION

4. Act in force after acceptance by city council.
5. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the members of the board of aldermen of the city of Concord shall each receive the sum of seventy-five dollars annually in full for all services, including committee service. The members of said board, who are members of the committee on accounts and claims, shall each receive the sum of ten dollars additional.

SECT. 2. That the members of the common council of the city of Concord, N. H., shall each receive the sum of forty dollars annually in full for all services, including committee service. The members of the common council, who are members of the

committee on accounts and claims, shall receive ten dollars additional. The president of the common council shall receive the sum of twenty dollars in addition to the regular salary.

When payable; deduction for non-attendance.

SECT. 3. Said salaries shall be payable at the end of each financial year. There shall be deducted from the salary of each alderman, as above provided, the sum of three dollars, and from the salary of each councilman the sum of two dollars for each regular or special meeting of the city council which the record of the city clerk shall show he failed to attend.

Act in force after acceptance by city council.

SECT. 4. This act shall not be in force until it is accepted by the city council of said city, in joint convention, by majority vote at a regular meeting of the city council, or at a special meeting called for that purpose, and when so accepted shall thereafter remain in force until altered or repealed. In case of a tie vote in the city council upon the question of the acceptance of the provisions of this act, the mayor shall have a casting vote.

Repealing clause; act takes effect on passage.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed so far as they relate to the city of Concord, and this act shall take effect upon its passage.

[Approved March 21, 1901.]

CHAPTER 275.

AN ACT TO AMEND THE CHARTER OF THE ALTON & GILMANTON ELECTRIC RAILWAY COMPANY.

SECTION

1. Time for building road extended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for building road extended.

SECTION 1. The time fixed in the charter of the Alton & Gilmanton Electric Railway Company, approved March 11, 1899, is hereby extended to March 11, 1903, and said corporation shall have such additional time in which to build its road.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 276.

AN ACT TO UNITE THE CLAREMONT STREET RAILWAY COMPANY AND THE CLAREMONT ELECTRIC LIGHT COMPANY INTO ONE CORPORATION, TO BE KNOWN AS THE CLAREMONT RAILWAY & LIGHTING COMPANY.

SECTION

1. Corporation constituted.
2. Authorized to acquire property of certain corporations.
3. Transfer of property authorized.
4. Corporation authorized to operate railroad in Claremont.
5. May supply electric light, heat, and power.

SECTION

6. Capital stock.
7. May adopt by-laws.
8. First meeting.
9. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That H. R. Beckwith, I. F. Chandler, F. P. Maynard, Edwin B. Heywood, J. T. Emerson, Oscar B. Rand, of Claremont, New Hampshire, and Fred T. Ley, Harold A. Ley, and J. M. Fuller, of Springfield, Massachusetts, are hereby made a body politic and corporate by the name of the Claremont Railway & Lighting Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are invested with all the powers and privileges, and made subject to all the liabilities under the laws of this state, which are applicable to said corporation constituted.

SECT. 2. Said corporation is hereby authorized at any time within two years from the date of the passage of this act to acquire by contract all the property, assets, and franchises of the Claremont Street Railway Company, a corporation duly incorporated by an act of the legislature approved February 14, 1899, upon such terms as may be agreed upon by the said Claremont Street Railway Company and the said Claremont Railway & Lighting Company, and upon execution of said contract said Claremont Railway & Lighting Company shall have and enjoy all the franchises, rights, and powers of the said Claremont Street Railway Company, together with the same rights of extension and franchises, rights, and powers in relation thereto necessary and convenient for the maintenance and operation of said railway, subject, nevertheless, to any limitations in the charter and to all provisions in the statute applicable thereto not inconsistent with this act. Authorized to acquire property of certain corporations.

Said Claremont Railway & Lighting Company is also hereby authorized at any time within two years from the date of the passage of this act to acquire by contract all the property, assets, and franchises, except as herein limited, of the Claremont Electric Light Company, a corporation duly incorporated by an act of the legislature approved August 17, 1887, upon such terms as

may be agreed upon by said Claremont Railway & Lighting Company and said Claremont Electric Light Company, and upon execution of such contract, said Claremont Railway & Lighting Company shall have and enjoy all the franchises, rights, and powers of the said Claremont Electric Light Company so far as they relate to supplying electricity for light, power, heat, and other purposes, subject, nevertheless, to any limitations in the charter and to all provisions in the statutes applicable thereto not inconsistent with this act; said corporation is hereby authorized at any time to acquire by contract all the property, assets, and franchises of any gas company doing business in said Claremont upon such terms as may be agreed upon by the said gas company and the said Claremont Railway & Lighting Company, and upon execution of said contract, said Claremont Railway & Lighting Company shall have and enjoy all the franchises, rights, and powers of the said gas company so far as they relate to supplying gas for light, heat, and other purposes, subject, nevertheless, to any limitations in the charter and to all provisions in the statutes applicable thereto not inconsistent with this act; it being the intent of this act to authorize the said Claremont Electric Light Company and the said Claremont Street Railway Company to unite the property, assets, and franchises of said corporations into the corporation created by this act to be known as the Claremont Railway & Lighting Company, and also to authorize the said Claremont Railway & Lighting Company to acquire the property, assets, and franchises of any company or corporation making and supplying gas for light, heat, and other purposes in the said town of Claremont.

Transfer of
property
authorized.

SECT. 3. The said Claremont Electric Light Company and the said Claremont Street Railway Company are hereby authorized and empowered to transfer and convey by contract all the property, assets, and franchises of said corporations to the said Claremont Railway & Lighting Company upon such terms as may be agreed upon by the said corporations, and as will enable said Claremont Railway & Lighting Company to maintain and operate the said railways and the electric lighting plant now owned and operated by said corporations, and all extensions thereof, and to use and exercise all the franchises and powers thereof as fully and completely as the said corporations may now or in any case could if no contract was made.

Authorized to
operate
railroad in
Claremont.

SECT. 4. Said corporation is hereby authorized and empowered to construct, maintain, and operate a railroad for the transportation of passengers, freight, express, and mail with convenient side tracks over any point within the limits of said town of Claremont over and upon such highways and lands as may be necessary for the public accommodation in said town, with branches, extensions, and tracks to other parts of said towns; and to transport freight to and from the depot known as Claremont Junction depot, and the depot known as Claremont Village depot, both on the line of the Boston & Maine Railroad in said town of Claremont, and any manufacturing plant or cor-

poration in said town. The motive power to operate the cars upon said tracks may be any motive power except steam, and one or more different kinds of motive power hereby authorized may be used for operating cars simultaneously or from time to time as may be deemed best; and the company may construct and maintain suitable buildings, dams, boilers, water and other motors, engines, electrical machinery and works as may be needed and convenient for conducting the business of said corporation; and may lease, hold, purchase, and acquire such real and personal estate as may be necessary and convenient in the prosecution of its business; and the same may be sold or disposed of at pleasure.

SECT. 5. Said Claremont Railway & Lighting Company is hereby authorized and empowered to establish, manage, and carry on in the town of Claremont the business of generating, manufacturing, producing, and supplying electricity for purposes of light, heat, and mechanical power, distributing, conveying, and supplying the said electricity by metallic wires, or by any other suitable means of transmitting the same upon poles erected or in subterranean tubes, pipes, or boxes placed in the public streets, highways, or sewers, and other places; to build suitable buildings, boilers, engines, electrical machines and works as may be needed and convenient for conducting the business hereby authorized, and may lease, purchase, hold, and acquire such real and personal estate as may be necessary or convenient in carrying out the purposes for which said corporation is organized.

May supply electric light, heat, and power.

SECT. 6. The capital stock of said corporation shall not exceed one hundred thousand dollars, to be divided into shares of one hundred dollars each, except that said corporation may increase its capital stock, subject to the general laws applicable to such increase. Said capital stock shall be issued to such amount as may be approved by the board of railroad commissioners, and subject to and in accordance with the provisions of section 17, chapter 27 of the Laws of 1895, and all amendments thereto. Said corporation may from time to time issue coupon registered bonds to provide means for construction and equipment, and for funding so much of the floating debt as may have been incurred for construction, or for the purchase of such real or personal estate as may have been necessary or convenient for the operation of its road or plant; or for the purpose of refunding its refunded debt, or that of any of the companies authorized to be united under this act, or renewing or retiring the funded debt of any of the companies authorized to be united under this act; or to provide means for building and equipping branches or extensions or additions to its plant to such amount and upon such terms as may be approved by the board of railroad commissioners, and subject to and in accordance with the provisions of section 17, chapter 27 of the Laws of 1895, and all amendments thereto. To secure the payment of such bonds, with interest thereon, said corporation may make a mortgage or

Capital stock.

mortgages of its road and franchises, and any part of its other property, and may include in any such mortgage property thereafter to be acquired.

May adopt by-laws.

SECT. 7. Said corporation may make such by-laws as may be required not inconsistent with the laws of the state, and may fix the time and place for holding the annual meeting.

First meeting.

SECT. 8. Any three of the persons named as grantees may call the first meeting by publishing notice thereof in any newspaper printed in said Claremont at least one week prior to the time of said meeting, at which meeting or any adjournment thereof, by-laws may be adopted and directors chosen who shall hold office until the first annual meeting thereafter, or until their successors are chosen at a meeting of the stockholders legally called.

Subject to repeal; takes effect on passage.

SECT. 9. The legislature may alter, amend, or repeal this act whenever in its opinion the public good may require, and this act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 277.

AN ACT TO CHANGE THE LINES OF THE NEW OR WEST PARISH IN LONDONDERRY.

SECTION 1. Portion of parish in town of Derry set off.

Be it enacted by the Senate and House of Representatives in General Court convened:

Portion in Derry set off.

SECTION 1. That so much of the New or West Parish in Londonderry as is situate in the present township of Derry be set off and disannexed from said New or West Parish in Londonderry.

[Approved March 22, 1901.]

CHAPTER 278.

AN ACT TO AMEND CHAPTER 241 OF THE SESSION LAWS OF 1893, ENTITLED "AN ACT TO ESTABLISH THE CITY OF LACONIA," AND TO CREATE A BOARD OF PUBLIC WORKS FOR SAID CITY.

SECTION 1. Board of public works created; duties and powers; organization; to give bonds; to keep records; to furnish estimates of necessary appropriations; salaries of members; vacancy, how filled; repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Insert a new section in said chapter, between sections 20 and 21, which shall read as follows:

SECTION 21. The general management and control of the street department and the sewer and engineering departments, except as hereinafter provided in relation to the two last named departments, shall be vested in a board of commissioners, consisting of three members, to be known as the board of public works, who shall be elected by the city council at its meeting on the fourth Tuesday of March, 1901, and serve one for two years, one for four years, and one for six years, and until their successors are elected and qualified, and biennially on the fourth Tuesday of March thereafter the city council shall elect one member of said board to serve for six years. Said board of commissioners shall have charge of the construction and repair of all highways, bridges, and sidewalks within the city, and shall have authority to purchase timber, plank, stone, and other material for the construction and repair of streets, bridges, highways, and sidewalks, and they may remove gravel, rocks, or other material from one part of the city to the other, doing no damage to adjoining land for the purpose of grading or otherwise repairing the same.

They shall have power and authority to appoint a street commissioner, who shall be subject to their direction, and they shall also have authority to employ, cause, or direct the employment of such other men and teams as they shall deem necessary. They may remove said street commissioner or any servant or employee whenever they deem it necessary, and they shall generally have and exercise all the powers and authority that highway agents of towns now have under section 3, chapter 29 of the Session Laws of 1893, and section 1 of chapter 111 of the Session Laws of 1895, and all the powers of city councils under paragraph 7 of section 10, chapter 50 of the Public Statutes. Said board shall hereafter appoint the superintendent of sewers and fix his salary or compensation, and may remove him whenever they deem it necessary. Said board shall have in charge the care, construction, and repair of all public drains and sewers of the city. Said board shall hereafter appoint the city engineer, and may remove him whenever they deem it necessary.

Board of public works created; duties and powers; organization; to give bonds; to keep records; to furnish estimates of necessary appropriations; salaries; vacancy, how filled; repealing clause; act takes effect on passage.

Said engineer shall have such powers and duties not inconsistent with this act as the city council shall from time to time provide by ordinance. Said board may have such additional powers and duties not inconsistent with this act as the city council may from time to time prescribe by ordinance.

Said board immediately after their first election, and annually thereafter, immediately after the fourth Tuesday of March, shall organize by the choice of one of their number as chairman and one as secretary. They may make such rules and regulations for the government of their department not inconsistent with this act as they deem advisable. They shall be sworn to the faithful discharge of their duties, and shall give bonds to the city, such bonds to be to the satisfaction of the city council for the faithful discharge of their duties. They shall keep an accurate record of their proceedings and an accurate account showing in detail all moneys received by them, from whom and when received, and all moneys paid out by them, to whom and for what purpose, and on or before the fifteenth day of February in each year they shall make a report to the city council showing in detail their receipts and expenditures and settle their account with the city. Their report shall be printed in the annual city report in detail. They shall also, on or before the fifteenth day of February in each year, make to the city council an estimate of the money necessary to be raised or appropriated for all purposes relating to streets, highways, bridges, and sidewalks for the year ensuing, stating in detail the purpose for which the money is desired to be used. All bills and indebtedness made or contracted shall be paid from the city treasury upon the order of said board, but nothing in this act shall be construed to give said board any power or authority to contract any indebtedness against the city in any year in excess of the amount raised or appropriated by the city for that year for purposes of expenditure within the province of said board. The annual salary of each member of the board shall be one hundred dollars. A vacancy occurring in said board shall be filled by the city council at its first regular meeting after such vacancy occurs, and shall be for the unexpired term of the member creating such vacancy. Said board shall have the power, if they deem it advisable, to appoint one person to hold all of the three offices of street commissioner, city engineer, and superintendent of sewers, or any two of them.

So much of section 21 of said chapter 241, and any ordinance of the city, as is inconsistent with the provision of this act is hereby repealed. Re-number the succeeding sections of said chapter 241, making section 21 of said chapter, section 22.

This act shall take effect on its passage.

[Approved March 22, 1901.]

CHAPTER 279.

AN ACT IN AMENDMENT OF SECTION 4 OF CHAPTER 182 OF THE SESSION LAWS, PASSED JANUARY SESSION, 1893, ENTITLED "AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF CONCORD, CREATING A BOARD OF POLICE COMMISSIONERS FOR SAID CITY," CHANGING THE POWERS OF THE POLICE COMMISSIONERS IN THE CITY OF CONCORD.

SECTION

1. Power of police commissioners to remove officers defined.
2. Act not in force until accepted by city council.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 4 of an act entitled "An act in amendment of the charter of the city of Concord, creating a board of police commissioners for said city," is hereby amended by striking out all of said section 4 after the word "office" in the tenth line of said section, and substituting in place thereof the following: The police commissioners shall have the right by majority vote to remove any member of the police force at any time for good and sufficient cause and after a due hearing, and such cause shall be expressed in the order of removal. Said commissioners shall also have the right, by a unanimous vote, to remove any member of said police force at any time when in their opinion the public good requires such removal. So that said section, as amended, shall read as follows:

The police force of said city shall consist of a city marshal, assistant city marshal, captain of the night watch, regular police and night watch not exceeding twenty, who shall devote their whole time to their said duties, and who shall not be engaged or engage in any other business or occupation, or hold any state, county, or other municipal office, and special policemen not exceeding eighty, who shall be appointed by the police commissioners immediately after the appointment of said commissioners, and who shall serve during good behavior and while competent to discharge the duties of the office. The police commissioners shall have the right, by majority vote, to remove any member of the police force at any time for good and sufficient cause and after a due hearing, and such cause shall be expressed in the order of removal. Said commissioners shall also have the right, by a unanimous vote, to remove any member of said police force at any time when in their opinion the public good requires such removal.

SECT. 2. This act shall not be in force until it is accepted by the city council of said city, in joint convention, by majority vote at a regular meeting of the city council or at a special

Power of police commissioners to remove officers defined.

Act not in force until accepted by city council.

meeting called for that purpose, and when so accepted shall thereafter remain in force until altered or repealed. In case of a tie vote in the city council upon the question of the acceptance of the provisions of this act, the mayor shall have a casting vote.

Repealing
clause; act
takes effect
on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 280.

AN ACT TO INCORPORATE THE GAFNEY HOME FOR THE AGED.

SECTION

1. Corporation constituted.
2. Purposes; may hold property.
3. First meeting.

SECTION

4. No charter fee; property exempt from taxation.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted.

SECTION 1. That Albert Wallace, Stephen C. Meader, Sidney B. Hayes, Horace L. Worcester, Willis McDuffee, William G. Bradley, Nathaniel T. Kimball, all of Rochester in the county of Strafford, their associates and successors, be and hereby are made a body politic and corporate by the name of The Gafney Home for the Aged, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have and exercise all the powers and privileges and be subject to all the liabilities by law incident to corporations of a similar nature.

Purposes;
may hold
property.

SECT. 2. Said corporation is hereby authorized to establish and maintain in the city of Rochester an institution for the support and maintenance of aged people of both sexes, and for that purpose may take and hold real and personal estate by donation, bequest, purchase, or otherwise, to an amount not exceeding two hundred thousand dollars, and may sell, convey, and dispose of the same at pleasure, and may erect and maintain such buildings and appurtenances as may be deemed necessary for the purposes of the corporation.

First
meeting.

SECT. 3. A majority of said grantees may call the first meeting of said corporation by giving notice in writing to each of the grantees named of the time and place of said meeting, at which meeting or some subsequent meeting said corporation may adopt, and thereafter change or alter, such constitution, rules, and by-laws for the government of its affairs not inconsistent with the laws of the state, and elect or provide for

the election of such officers, managers, and agents as they may deem advisable, and prescribe their powers and duties.

SECT. 4. This being a charitable institution, without profit to any person, no fee shall be charged by the state for this act, and the property of the corporation shall be exempt from taxation so long as it shall be used for the purposes named herein.

No charter fee; property exempt from taxation.

SECT. 5. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 22, 1901.]

CHAPTER 281.

AN ACT TO INCORPORATE THE SOCIETY ST. JOHN BAPTIST OF PITTSFIELD.

SECTION

1. Corporation constituted.
2. Purposes.
3. To carry on business in Pittsfield; may hold real estate.

SECTION

4. First meeting.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Joseph Danis, Henry Robilliard, Joseph Fortaine, Joseph Currier, William Desgrange, and Nelson Duval, their associates, successors, and assigns, be and hereby are incorporated and made a body corporate by the name of the St. John Baptist Society of Pittsfield.

Corporation constituted.

SECT. 2. This corporation is established to make provision for the payment of weekly benefits to its members in case of sickness or accident, and in case of death to pay a funeral benefit, and to provide a fund and make other provisions for said purposes. Said fund is to be accumulated and all payments made in accordance with the constitution and by-laws made and adopted by this corporation.

Purposes.

SECT. 3. This corporation shall carry on its business at Pittsfield, this state, and is authorized to buy and hold real estate not exceeding in value ten thousand dollars at any one time.

Business in Pittsfield; may hold real estate.

SECT. 4. Joseph Danis, Nelson Duval, and Henry Robilliard, or any two of them, may call the first meeting of this corporation at such time and place and in such manner as they may think proper, and at such meeting or any adjournment thereof a constitution and by-laws may be adopted, and all necessary officers chosen for managing the affairs of this corporation.

First meeting.

SECT. 5. This act shall take effect from its passage.

Takes effect on passage.

[Approved March 22, 1901.]

CHAPTER 282.

AN ACT TO AUTHORIZE THE TOWN OF SUNAPEE TO ISSUE BONDS.

SECTION

1. Issue of bonds authorized.
2. Where payable; form of bond.
3. Amounts and terms to be determined by selectmen.

SECTION

4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Issue of
bonds author-
ized.

SECTION 1. The town of Sunapee, for the purpose of building and extending its water system, is hereby authorized and empowered to issue bonds in amount not exceeding twenty-five thousand dollars, made payable not more than twenty years from their issue, bearing interest semi-annually, at a rate not to exceed three per cent per annum, with interest coupons annexed, and to exempt said bonds from taxation when held by inhabitants or corporations of said town of Sunapee.

Where pay-
able; form
of bond.

SECT. 2. Said bonds shall be made payable to bearer at the office of the treasurer of the town, signed by the selectmen of the town or a majority thereof, countersigned by the treasurer for the time being, and shall have the corporate seal of the town affixed thereto. Said bonds shall be in form, so far as applicable, prescribed in chapter 43 of the Laws of 1895, called the municipal bond act of 1895; and may contain a provision for the payment, after fifteen years from date of issue, at the election of the town, on any date when interest thereon becomes payable, written notice of such election first having been given to the holder, either personal or by post, addressed to his place of abode, if known, at least fourteen days before the date specified for such payment, or by publication in two newspapers published in the county of Sullivan three weeks successively, the last publication to be fourteen days at least before such time of payment.

Amounts
and terms to
be deter-
mined by
selectmen.

SECT. 3. Said bonds may be issued in such amounts and upon such terms as the selectmen and town treasurer may determine.

Takes effect
on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 283.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF NASHUA.

SECTION

1. Each ward to choose alderman and two councilmen.
2. Board of public works to be appointed by mayor; removals and vacancies.
3. Power of board to employ subordinates.
4. Board to have direction and control of what matters.
5. To furnish annual estimate of appropriation required.

SECTION

6. To approve bills; compensation of board.
7. Acts repealed.
8. Board of assessors; how chosen; organization; salaries; powers; clerical force.
9. Salary of clerk of police court.
10. Repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That at the next and all subsequent biennial elections to be holden in Nashua, each ward in the city shall choose one alderman and two members of the common council, instead of the number now required to be chosen. Each ward to choose alderman and two councilmen.

SECT. 2. In the month of January, 1902, the mayor shall appoint, subject to the approval and confirmation of the board of aldermen of said city, a board of public works. Said board shall consist of the mayor, *ex-officio*, who shall be chairman, the city engineer, *ex-officio*, and one member who shall serve for the period of one year, one member who shall serve for the period of two years, and one member who shall serve for the period of three years, or until a successor to each shall be appointed and qualified in his stead; and annually thereafter, in the month of January, the mayor shall appoint, subject to the approval and confirmation of the board of aldermen, one member to be a member of said board of public works and to hold his office for the term of three years from the time of his appointment or until his successor is chosen and qualified, unless sooner removed. The mayor, with the advice and consent of the majority of the full board of aldermen, may remove any member appointed as aforesaid for cause, and any vacancy in said board shall be filled for the balance of the same term in the same manner as appointments are herein authorized to be made. No appointed member of public works shall hold any other municipal office; and it is further provided that there shall be at no one time more than two members appointed from any one political party. Board of public works; removals and vacancies.

SECT. 3. Said board shall have the power of employing and discharging such superintendents, assistants, agents, and other employees as it may deem necessary, and to fix the compensation of their several appointees. They shall make any and all rules for the government of said board as well as for the government and regulation of said appointees. Power of board to employ subordinates.

SECT. 4. The said board shall have cognizance, direction, and full control (a) of the construction, alteration, cleaning, Board to have direction and

control of
what matters.

watering, and repair of streets, avenues, ways, bridges, and sidewalks; (b) of the location, construction, extension, care, and maintenance of public sewers and drains; (c) of the planting and care of the shade and ornamental trees standing in the streets and public ways; (d) of the location and supervision of electric power, electric light, telephone, telegraph, and trolley wires; of electric light, telephone, and telegraph poles, and of any gas and water pipes, and other conduits, and the erection, placing, and removing thereof. (e) They shall have all the powers and authority now vested in the committee on highways and bridges and the committee on sewers and drains, of the city councils, as well as full power and authority to contract for and purchase all materials and supplies used in the department created by this act. (f) They shall have the purchasing as well as the care and control of all teams and other property used in the department of public works established as aforesaid, and all powers and duties by law vested in surveyors of highways shall apply to the said board of public works, when not inconsistent herewith.

To furnish
estimate of
appropriations.

SECT. 5. The said board of public works shall annually, in the month of February, send to the city councils an estimate of the appropriations required for the maintenance of their department during the financial year. During the month of January of each year, said board shall make a written report to the city councils of its doings, which report shall be published by the city and made a part of the annual report thereof.

To approve
bills; compensation.

SECT. 6. All bills of expenditure from the appropriation for the departments in their control shall be approved by the board of public works before they are paid by the treasurer. For their services the three persons appointed as aforesaid shall receive such compensation as the city councils may from time to time determine.

Acts
repealed.

SECT. 7. Section 1 of chapter 197 of the Pamphlet Laws of 1897, and so much of section 2 as pertains to street commission, is hereby repealed.

Board of
assessors;
how chosen;
organization;
salaries;
powers;
clerical force.

SECT. 8. That the board of assessors shall consist of six members, who shall be elected on the general ticket in the manner following, that is to say, at the November election, A. D. 1902, there shall be chosen three members of said board who shall serve for a period of four years, and three members who shall serve for a period of two years, and that at every biennial election thereafter there shall be chosen three members of said board for the full term of four years each. Immediately after each inauguration of the city government, the board of assessors shall meet and select one of their number to be chairman and one member to be clerk of said board, and said officers selected shall respectively do and perform all the duties pertaining to said positions as now defined by law. The said assessors, constituted as aforesaid, shall have and receive such salaries as the city councils of said city may determine, which said salaries shall be payable as now provided by law. Said board shall have

all the powers, authority, rights, and privileges now granted or hereafter to be granted to assessors, and be subject to the same liabilities. Said board shall be hereby authorized and empowered to employ such clerical force, not exceeding five in number, as they deem fit and necessary, whose compensation shall be fixed in the same manner as the salaries of the assessors, and which shall be paid by said city when audited by said board.

SECT. 9. The salary of the clerk of the police court of the city of Nashua shall from and after the passage of this act be fixed at six hundred dollars per annum, payable as now provided by law. Salary of clerk of police court.

SECT. 10. Any other act or part of act inconsistent with this act is hereby repealed. Repealing clause.

[Approved March 22, 1901.]

CHAPTER 284.

AN ACT AUTHORIZING THE CITY OF NASHUA TO ISSUE BONDS.

SECTION

1. Issue of \$75,000 authorized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The city of Nashua is hereby authorized to issue its bonds to the extent of seventy-five thousand dollars, at a rate of interest to be fixed by the city councils, not exceeding four per cent per annum, payable in twenty years from the date of issue; the proceeds from the sale of said bonds shall be used in the payment of an equal amount of its bonds falling due July 1, A. D. 1901; that said city shall exempt from taxation any and all bonds so issued; *provided*, that the rate of interest to be paid thereon shall not exceed three per cent per annum. Issue of \$75,000 authorized.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved March 22, 1901.]

CHAPTER 285.

AN ACT AMENDING THE CHARTER OF THE NEWMARKET ELECTRIC
LIGHT, POWER & HEAT COMPANY.

SECTION

1. May carry on business in Epping.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*May carry on
business in
Epping.

SECTION 1. The Newmarket Electric Light, Power & Heat Company, a corporation empowered to establish, manage, and carry on business in Newmarket, Durham, and Lee, is hereby authorized and empowered to carry on its business in the town of Epping.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 286.

AN ACT TO INCORPORATE THE STATE TRUST COMPANY OF CONCORD,
N. H.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. Taxation of capital stock and deposits.
4. May adopt by-laws.
5. Shareholders not individually liable for corporate debts.

SECTION

6. To be under supervision of bank commissioners.
7. First meeting.
8. Subject to repeal; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*Corporation
constituted;
purposes.

SECTION 1. That Frank W. Rollins, Benjamin A. Kimball, John Kimball, Ferdinand A. Stillings, Harry H. Dudley, Henry W. Stevens, Edson J. Hill, Harry G. Sargent, David E. Murphy, George M. Kimball, Frank P. Andrews, and their associates, successors, and assigns, be and hereby are made a body corporate by the name of The State Trust Company, to be located at Concord in this state, with authority to have and execute all the powers and privileges incident to corporations of similar nature, for the purpose of prosecuting the business of a savings bank, safe deposit, and trust company; to loan, borrow, and deal in money and securities; to do a general banking business; to receive on deposit or for safe-keeping, money and

other valuables, the funds of trustees, guardians, administrators, or others; to act as trustee, receiver, agent, or in any other representative capacity for individuals and corporations under judicial appointment by the courts of this and other states, or otherwise; to issue, register, and countersign certificates of stock, bonds, or other evidence of indebtedness, and to receive and make payments on account of same; to make and negotiate loans for itself and others, and to negotiate loans upon personal or real estate mortgages.

SECT. 2. Said company shall have a capital stock of five hundred thousand dollars, divided into shares of one hundred dollars each, and may acquire and hold real estate for its own use to the value of one hundred thousand dollars, exclusive of such real estate as may be taken in good faith for debt or held as collateral security. Capital stock.

SECT. 3. The provisions of law now or hereafter in force governing the taxation of bank stock and deposits in savings banks on which interest is paid, as expressed in chapter 165 of the Public Statutes, relating to the taxation of savings banks and trust companies, shall apply to this company. Taxation of stock and deposits.

SECT. 4. Said company, at any meeting duly held, may adopt such by-laws and resolutions, not repugnant to the laws of this state, as may be necessary for the proper management of the business for which the company was created. May adopt by-laws.

SECT. 5. The private property of shareholders shall not be liable for the debts of the company. Individual liability.

SECT. 6. The affairs of the company shall be under the supervision and control of the bank commissioners, who shall make the same examinations into and the same reports upon its condition and receive the same pay for their services from the state as in case of savings banks. Under supervision of bank commissioners.

SECT. 7. Any three of the grantees may call the first meeting of the corporation by notice in writing to each grantee, or by one publication in some newspaper printed in Concord, at least one week before the date of meeting. First meeting.

SECT. 8. The legislature may alter, amend, or repeal this act whenever in their opinion the public good requires it, and this act shall take effect upon its passage. Subject to repeal; takes effect on passage.

[Approved March 22, 1901.]

CHAPTER 287.

AN ACT TO REVIVE THE CHARTER OF THE NEWFIELDS ELECTRIC LIGHT,
HEAT & POWER COMPANY.

SECTION

1. Charter revived.

SECTION

2. No additional charter fee.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

Charter
revived.

SECTION 1. An act entitled "An act to incorporate the Newfields Electric Light, Heat & Power Company," approved March 22, 1897, is hereby revived and continued in force as fully and completely as if the same were re-enacted at the present time.

No addi-
tional fee.

SECT. 2. No additional charter fee shall be paid.

[Approved March 22, 1901.]

CHAPTER 288.

AN ACT TO AMEND THE CHARTER OF THE SUNCOOK WATER-
WORKS COMPANY.

SECTION

1. Increase of capital stock.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General
Court convened:*

Increase of
capital stock.

SECTION 1. The Suncook Water-Works Company, incorporated under chapter 158 of the Laws of 1891, as amended by chapter 184 of the Laws of 1895 and chapter 189 of the Laws of 1899, is hereby authorized to increase its capital stock to an amount not exceeding in the whole the sum of one hundred and twenty-five thousand dollars.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 289.

AN ACT TO INCORPORATE THE DURHAM WATER-WORKS COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. May purchase or take real estate.
4. Assessment of damages.
5. May contract for supply of water; purchase of system.
6. Fire precinct purchasing may appropriate money therefor.
7. Loan by town to fire precinct.

SECTION

8. Annual meeting.
9. Malicious injuries to property; penalty.
10. First meeting.
11. Act void unless corporation organized within three years.
12. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That James W. Burnham, Charles E. Hoitt, Jabez H. Stevens, James D. Meader, of Durham, George E. Chesley of Lee, and Charles W. Rogers of Newmarket, their associates and successors, are hereby made a corporation by the name of the Durham Water-Works Company, for the purpose of furnishing to the people of Durham and Lee a supply of pure water for domestic, mechanical, and manufacturing purposes, and to said towns of Durham and Lee for the extinguishment of fires and other public uses, with all the rights, privileges, immunities, duties, and obligations incident to similar corporations.

SECT. 2. The capital stock of said corporation shall not exceed twenty-five thousand dollars. It may acquire and hold real and personal estate necessary and convenient for the purposes aforesaid, and it may issue bonds and other obligations, secured by mortgage of its real and other property, to carry out the purposes for which it is created.

SECT. 3. Said corporation may take and hold by purchase, or may take as for public uses, any real estate or easement therein, including the water of any pond, stream, springs, or artesian wells necessary for obtaining a sufficient supply of water for the construction of reservoirs and laying pipes, and may erect and maintain all necessary dams, reservoirs, standpipes, and hydrants; it may lay its pipes through the land of persons and corporations, having first obtained permission of the town officers of said towns, and, under such regulations and restrictions as they may prescribe, along the streets and ways of said towns, and may lay its pipes under any railroad, water-course, or private way, and cross any drain, or sewer, or pipe; *provided*, that in the matter of crossing pipes, it shall, at its own expense and within a reasonable time, replace, repair, and cover all such pipes and mains as may be displaced, injured, or disturbed during the construction or repair of its water-works; and it may enter upon and dig up any such real estate, railroad, street, or way, for the purpose of laying pipes or erecting hydrants or other fixtures, and maintaining and repairing the same; and it may do

any other act or thing necessary, convenient, and proper to carry out the purpose of providing a supply of water and distributing the same to the inhabitants of said towns for the uses aforesaid; *provided*, that nothing in this chapter shall be construed to authorize interference in any way with the New Hampshire College of Agriculture and the Mechanic Arts, its water-works or grounds, without its consent.

Assessment
of damages.

SECT. 4. Said water company shall pay all damages sustained by any person or corporation, in property, by taking of any land, right of way, water, water-course, water right or easement, or by the erection of any dam, or by any other thing done by said company under the authority of this act. In case, however, said company shall not be able to agree with the owners thereof for the damages that may be done by said company, or the owners shall be unknown, either party may apply to the supreme court at a trial term, in the county of Strafford, to have the same laid out and the damages determined; and said court shall refer the same to the county commissioners of said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as now provided by law for laying out highways. Said commissioners shall make report to said court, and said court may issue execution therein accordingly; but if either party shall desire it, upon application to said court before reference to said commissioners, they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe.

May contract
for supply
of water;
purchase
of system.

SECT. 5. Said corporation may make and contract with said towns of Durham and Lee, or with any fire precinct in said towns, or with any persons or corporations, to furnish water, hydrants, and other means and apparatus for extinguishing fires, and for such other purposes as may be deemed necessary, and said towns, or any fire precinct therein now existing or hereafter organized, are hereby authorized to contract with said corporation for the use of said water, hydrants, or other apparatus for said purpose, and they may raise and appropriate money therefor. And said corporation is hereby authorized and empowered to sell or lease for a term of years to said town of Durham or any fire precinct now existing or hereafter organized therein, all of its works, structures, and estate, of whatever kind or nature; and said town of Durham or any fire precinct therein is hereby authorized to purchase or lease the same; *provided*, that if said town of Durham, after five years from the granting of this charter, shall pay to said corporation the cost of construction, with interest at five per centum, said corporation shall convey to said town of Durham said water-works by good and sufficient title deeds; *provided, also*, that when said town of Durham shall contract with said corporation for hydrant service, appropriate money for the same, said corporation shall locate and establish hydrants on such streets of said town as it has provided payment for; *provided, again*, that if a fire precinct shall be organized in said town of Durham within two years from the pas-

sage of this charter, said precinct shall have the same right of purchase of said water-works as is provided in this section for the purchase by said town. Said precinct, on payment of charter fees and expenses of organization on or before January 1, 1902, shall be entitled to all the rights under this act without cost of construction.

SECT. 6. If said fire precinct shall, before January 1, 1902, Appropriation by fire precinct. vote to accept the provisions of this charter, then it shall be authorized, at any annual or special meeting called for the purpose, by a two-thirds vote of those present and voting, to raise and appropriate and to borrow or hire such sums of money not to exceed twelve thousand dollars on the credit of said fire precinct as may from time to time be deemed advisable, for the purpose of defraying the expense of purchasing real estate, rights in real estate, water rights, streams, springs, ponds, etc., and of carrying out the provisions of any contract made with any corporation or individual for the supply of water or for any other purpose necessary in constructing, maintaining, and operating a system of water-works, and to issue the bonds of said precinct payable at such times and at such rates of interest as may be thought proper.

SECT. 7. The town of Durham may, by a two-thirds vote of Loan by town to fire precinct. those present and voting at any town meeting called for the purpose, loan its credit, to an amount not to exceed twelve thousand dollars, to any fire precinct formed within the town and issue its bonds to this amount payable at such times and at such rates of interest as may be thought proper, accepting from said precinct its bonds in exchange for the town bonds, and said town bonds, said precinct bonds, and said water-works owned by said precinct are hereby exempted from taxation.

SECT. 8. The annual meeting of said company shall be Annual meeting. holden at such time and place as may be prescribed by the by-laws or appointed by the directors, at which meeting not less than three or more than seven directors shall be chosen by ballot. The directors may call special meetings whenever they may deem it necessary, giving such notice as the by-laws may prescribe.

SECT. 9. Any person who shall willfully and maliciously cor- Malicious injuries to property; penalty. rupt the waters of any of the sources of supply or reservoirs of said company, or shall willfully injure any dam, reservoir, conduit, pipe, hydrant, or other property held, owned, or used by said company, for the purposes of this act, shall, on conviction of either of said acts, be punished by fine not exceeding five hundred dollars, or be imprisoned not exceeding one year.

SECT. 10. Any two of the corporators named in this act may First meeting. call the first meeting of the company by giving a notice in writing to each of the corporators at least seven days before the meeting, or by notice printed in some newspaper published in Dover, in the county of Strafford, at least fourteen days before said day of meeting; and at said meeting, or at any subsequent meeting duly called, associates may be admitted and all

proper officers chosen, the number and par value of shares fixed, and such by-laws and regulations adopted as may be deemed necessary to carry into effect the business of the company.

Unless organized within three years act void.

SECT. 11. Said corporation shall be organized within three years from the passage of this act of incorporation; otherwise this act shall become void.

Subject to repeal; takes effect on passage.

SECT. 12. This act may be altered, amended, or repealed whenever the public good requires, and shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 290.

AN ACT TO INCORPORATE THE NORTH SHORE WATER COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Powers; right of eminent domain.
3. Excavations in highways.
4. May contract for supply of water.
5. Capital stock.
6. Issuance of bonds.

SECTION

7. May contract with towns; towns may make contract.
8. First meeting.
9. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; purposes.

SECTION 1. That Frank A. Philbrick, of Rye, in the county of Rockingham, and State of New Hampshire, Albert Bachel-der, of North Hampton, in said county, Jeremiah A. Farrington, John W. Emery, and John W. Kelley, of Portsmouth, in said county, their associates, successors, and assigns, are hereby constituted a body politic and corporate by the name of the North Shore Water Company, for the purpose of introducing into and distributing through the towns of North Hampton and Rye, in said county, an adequate supply of water in surface, subter-ranean, or other pipes, for extinguishing fires, and for the use of the citizens of said towns, and for their proper domestic and public purposes, and for such purposes may take, purchase, and hold, in fee simple or otherwise, real or personal estate in such towns, and any rights therein, and water rights necessary for carrying into effect the purposes of this act.

Powers; right of eminent domain.

SECT. 2. Said corporation, for the purpose specified in section 1 of this chapter, is authorized and empowered to dig ditches, make excavations and reservoirs through, over, in, and upon any land or inclosure in said towns through which it may be necessary for said pipes and water to pass, or said excavations, reservoirs, and water-works to be or exist, for the purpose of holding, pre-serving, and conducting said water; and to place said pipes and other materials, and works provided for in this act, or repairing the same. The said corporation is also authorized to take land for necessary ways from highways to its pipe line, and is authorized to

enter upon and appropriate any springs, streams, or ponds in said towns, aforesaid, not belonging to any aqueduct or water-works company, and to secure such springs, streams, and ponds by conveyance or otherwise; *provided*, that if it shall be necessary to enter upon and appropriate such springs, streams, ponds, or land for the purpose aforesaid, or raise or lower the level of the same, and said corporation shall not be able to agree with the owners thereof upon the damages which may be done by said corporation, or in case the owner shall be unknown, either party may apply to the supreme court, at the trial term thereof, in the county of Rockingham, to have the same taken, appropriated, and condemned for the purpose required, and the damages determined; and the said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing and give notice thereof in the same manner as is now provided by law in laying out highways; and said commissioners shall make a report to said court, and said court may issue execution therein accordingly; but if either party shall desire it, upon application to said court before reference to said commissioners, they shall be entitled to trial in such manner and under such regulations as said court may prescribe.

SECT. 3. Said corporation is further authorized and empowered to enter upon and break ground, dig ditches, and make excavations in any street, public place, public square, passage-way, or highway in said towns of Rye and North Hampton, through or over which it may be necessary for the pipes and water-works of said corporation to pass, be, or exist, for the purpose of placing pipes, hydrants, or water-works, and such other materials as may be deemed necessary for the construction of said water-works, and the distribution through said towns of an adequate supply of water; and to relay and repair said pipes, hydrants, and water-works, subject to such regulations in regard to the safety of the citizens and the security of public travel as may be prescribed by the selectmen of said Rye and North Hampton, with reference to the portions of said works that may be located or situated in said towns. Excavations
in highways.

SECT. 4. Said corporation is also authorized and empowered to contract with individuals and corporations in said towns of Rye and North Hampton, and with said towns themselves, for supplying them with water; and is authorized to make such contracts and to establish such regulations and tolls for the use of said water as may from time to time be deemed proper. May contract
for supply of
water.

SECT. 5. The capital stock of said corporation shall not exceed fifty thousand dollars, divided into shares of one hundred dollars each. The amount thereof within said limit shall be fixed by the corporators upon the organization of the company, and the same from time to time be increased as determined by the stockholders until all of said fifty thousand dollars has been issued. Said capital stock may be paid in cash, and no shares shall be issued until fully paid for. Said company shall have the right and power to sell, mortgage, or lease its franchise, rights, and properties to other corporations. Capital stock.

Issuance of bonds.

SECT. 6. The said company may issue its bonds for the accomplishment of any of the purposes for which it is incorporated, at such rates and times and in such amounts as the stockholders may authorize, providing such bonds shall not be issued in amounts exceeding the capital stock actually paid in; and it may secure payment of such bonds, both principal and interest, by a mortgage on its property and franchise.

May contract with towns; towns may make contract.

SECT. 7. Said corporation may make any contract with said towns of Rye and North Hampton, or with any fire precinct in said towns, or with any persons or corporations, to furnish water, hydrants, and other means and apparatus for extinguishing fires, and for such other purposes as may be deemed necessary; and said towns, or any fire precinct therein now existing or hereafter organized, is hereby authorized to contract with said corporation for the use of said water, hydrants, or other apparatus for said purpose, and it may raise and appropriate money therefor; and said corporation is hereby authorized and empowered to sell or lease for a term of years to said town, or any fire precinct now existing or hereafter organized therein, all of its work, structures, and estate, of whatever kind or nature, and said town or fire precinct is hereby authorized to purchase or lease the same.

First meeting.

SECT. 8. Any three of the corporators named in this act may call the first meeting of the company by giving a notice in person or writing to each of the corporators at least seven days before the meeting, or by notice in some newspaper published in the county of Rockingham at least fourteen days before said meeting, and at said meeting, or at any subsequent meeting duly called, associates may be admitted and all proper officers chosen, and such by-laws and regulations adopted as may be deemed necessary to carry into effect the business of the company.

Subject to repeal; takes effect on passage.

SECT. 9. This act may be altered, amended, or repealed whenever the public good requires, and shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 291.

AN ACT TO INCORPORATE THE EAST CONWAY WATER COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. Right of eminent domain.
4. May consolidate with Fryeburg Water Company.

SECTION

5. First meeting.
6. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; purposes.

SECTION 1. That Henry B. Cotton, Joel E. Morrill, F. B. Osgood, W. M. Twombly, Alpheus Furber, and Charles F.

Waterhouse, their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the East Conway Water Company, for the purpose of bringing water in subterranean pipes into the village of East Conway and the village of Fryeburg, Maine, for domestic use and the extinguishment of fires, and for other purposes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby vested with all the powers and subject to all the liabilities incident to corporations of a similar nature.

SECT. 2. The capital stock of said corporation shall consist of such number of shares, not exceeding one hundred dollars each, as may from time to time be determined by the directors of said corporation, not exceeding in the whole the sum of twenty-five thousand dollars. It may acquire and hold real and personal estate necessary and convenient for the purposes aforesaid; and it may issue bonds and other obligations secured by a mortgage of its property, assets, and franchises to carry out the purposes for which it is created. Capital stock.

SECT. 3. Said corporation is authorized to enter upon and appropriate any streams, brooks, or springs in said East Conway, not belonging to any aqueduct or water company, and to secure the same by fences or otherwise, and erect, construct, and maintain such dams, reservoirs, and buildings as may be necessary for such water-works and aqueducts, and may dig ditches, make excavations and reservoirs through, over, in, or upon any land or inclosure through which it may be necessary for the pipes or water to pass, and as may be necessary for operating and maintaining said aqueduct and water-works, or repairing the same. *Provided*, if it shall be necessary to enter upon and appropriate any streams, springs, or brooks, or any land, for the purpose aforesaid, or to raise or lower the level of the same, and if said corporation shall not agree with the owners thereof for the damage that may be done by said corporation, or such owner shall be unknown, said corporation may apply to the trial term of the supreme court for the county of Carroll to have the same laid out and the damages determined, and the said court shall refer the same to the county commissioners of said county, who shall proceed in the same manner as is now provided by law for laying out highways, lay out the same, determine the damages, and report to said court, and said court may issue execution accordingly. Right of eminent domain.

SECT. 4. Said corporation is authorized to consolidate with the Fryeburg Water Company upon such terms as the two corporations may agree, and may transfer its franchise to said Fryeburg Water Company. May consolidate with Fryeburg Water Co.

SECT. 5. Any two of the corporators named in this act may call the first meeting by ten days' notice in writing to each of the corporators of the time and place of each meeting. At said meeting, or any subsequent one, associates may be elected, and such by-laws and regulations adopted as may be necessary to carry into effect the provisions of this act. First meeting.

Subject to
repeal; takes
effect on
passage.

SECT. 6. The legislature may alter, amend, or repeal this act whenever the public good requires it; and this act shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 292.

AN ACT TO INCORPORATE THE BERLIN WATER SUPPLY COMPANY.

SECTION

1. Corporation constituted; purposes; may contract to supply water to Berlin.
2. Capital stock.
3. Mortgage of franchise and property to secure loan.

SECTION

4. May hold property; right to excavate, etc.
5. Right of eminent domain.
6. First meeting.
7. Subject to repeal; takes effect on passage.

WHEREAS, Various systems of water supply have been constructed in the city of Berlin for the purpose of supplying the inhabitants with water for domestic and mechanical purposes, and to said city for protection against fire, which systems are known as the Berlin Aqueduct Company system, the Berlin Water Company system, the Green Aqueduct Company system, the Cold Spring Water system, and the Twitchell & Holt system, of which the Berlin Water Company system is operated by a corporation organized under the laws of the State of Maine; and

WHEREAS, The owners of the stock in the Berlin Water Company are the owners, subject to liens and encumbrances, of the various other systems enumerated, and it is considered desirable that the said various systems should be consolidated into one system and controlled by one management; now, therefore,

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Daniel J. Daley, Herbert I. Goss, J. A. Vaillancourt, all of Berlin in the county of Coös and State of New Hampshire, and their associates, successors, and assigns, are hereby constituted a body politic and corporate by the name of the Berlin Water Supply Company, for the purposes of furnishing to the people of said Berlin a supply of water for domestic and mechanical uses, and to said city for public uses, for the extinguishment of fire and other public uses, with all the powers, liabilities, and privileges by law incident to corporations of similar nature. It is empowered to make contracts with the city of Berlin for supplying it with water for the uses aforesaid.

SECT. 2. The capital stock of the corporation shall consist of such number of shares of a par value of one hundred dollars each as may from time to time be determined by the directors

Corporation
constituted;
purposes;
may contract
to supply
water to
Berlin.

Capital stock.

of such corporation, not exceeding in the whole the sum of five hundred thousand dollars.

SECT. 3. Said corporation may borrow money to an amount not exceeding five hundred thousand dollars, and may secure the payment of the same by a mortgage of its franchise and property, for the purpose of acquiring the various water systems mentioned in the preamble hereof, of refunding or paying the mortgage and other indebtedness, or other encumbrances upon said systems, of making extensions and improvements to the same, of acquiring and developing additional sources of supplying, and in all legitimate ways of furthering the business of said corporation. If it shall deem it desirable to issue bonds secured by such mortgage to an amount in excess of the amount of capital stock which may be then issued, said corporation may apply to the bank commissioners for leave therefor, and may issue bonds to such an amount as upon hearing shall be fixed by said bank commissioners, which bonds shall be a legal investment for savings banks in the State of New Hampshire.

Mortgage of franchise and property to secure loan.

SECT. 4. Said corporation is empowered to purchase and hold, in fee simple or otherwise, any real or personal estate necessary or convenient for the carrying into effect of the purposes of this act; and said corporation is authorized to enter upon and break ground, dig ditches, and make excavations in any street, place, square, passageway, or highway through which it may be deemed necessary for the pipes and water-works of said corporation to pass, be, or exist, for the purpose of placing said pipes, hydrants, water-works, and such other material as may be deemed necessary for constructing said water-works, and to relay and repair the same, subject to such regulations as may be prescribed by the mayor and council of the city of Berlin.

May hold property; right to excavate, etc.

SECT. 5. Said corporation is authorized to enter upon and appropriate any springs, streams, ponds, or sources of water supply which may be deemed necessary to carry out the purposes of this act, and to secure such springs, ponds, or sources of supply by fences, dams, reservoirs, or otherwise, and dig ditches, make excavations and reservoirs through, over, in, or upon any land or inclosure through which it may be necessary for said pipes and water to pass, or said excavations and reservoirs and water-works to be or exist, for the purpose of obtaining and holding and preserving or conducting said water, and placing such pipes, materials, or works as may be necessary for building and operating said water-works and repairing the same; *provided*, that if said corporation shall deem it necessary to enter upon and appropriate any springs, streams, ponds, sources of supply, or land for the purposes aforesaid, or to raise or lower the level of the same, and said corporation shall not agree with the owners thereof for the damages that may be done by said corporation, or said owners shall be unknown, said corporation shall file with the register of deeds for the county of Coös a description of the same, together with the statement

Right of eminent domain.

that the same are taken by said corporation for said purpose; and shall give to the owner or owners, if known, a copy thereof, after which said corporation shall be entitled to the possession and use of the same. Either party may apply by petition to the supreme court at a trial term for the southern judicial district of the county of Coös to have the damages determined. Said court shall refer the same to the county commissioners, who shall appoint a time and place of hearing, and give notice thereof in the same manner as now provided for hearings relative to laying out highways; and shall assess damages for such taking as of the date when service of the notice filed with the register of deeds has been completed, upon said owner or owners if known, otherwise when said notice has been filed with said clerk. Said commissioners shall make report to said court, and said court may issue execution thereon accordingly; but if either party shall desire it, upon application to said court, before reference to said commissioners, he shall be entitled to a trial by jury in such manner and under such regulations as such court may direct. And *provided, further*, that this act shall not apply to any spring in the city of Berlin owned by not more than four individuals, and used solely for the domestic supply of the owner in his own family, nor to so much of the waters of any spring in the city of Berlin as have been used by any individual or corporation as a private water supply for more than twenty years.

First meeting. SECT. 6. Either of the corporators may call the first meeting of the corporation by giving notice in writing of the time and place of meeting seven days at least before the day of such meeting, and at said meeting or any adjournment thereof associates may be admitted, officers chosen, the capital stock fixed, by-laws adopted, and all acts done which may be deemed necessary to carry into effect the business of the corporation. Annual and special meetings of the corporation shall be held at such times and places and upon such notice as shall be provided by the by-laws of the corporation.

Subject to
repeal; takes
effect on
passage.

SECT. 7. This act may be amended or repealed whenever the public good requires, and shall take effect upon its passage.

[Approved March 22, 1901.]

CHAPTER 293.

AN ACT TO INCORPORATE THE MANCHESTER POLICE RELIEF ASSOCIATION OF MANCHESTER.

SECTION

1. Corporation constituted; purposes.
2. May hold property.
3. May adopt by-laws; benefits.

SECTION

4. First meeting.
5. Subject to repeal.
6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Michael J. Healy, John F. Cassidy, Thomas E. Steele, Leon E. Magoon, John T. O'Dowd, Clifton B. Hildreth, and John F. O'Malley, their associates and successors, be and hereby are made a body politic and corporate by the name of The Manchester Police Relief Association of Manchester, in said state, for such benevolent and charitable purposes as said corporation may from time to time designate; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be vested with all powers and privileges and subject to all the liabilities of corporations of a similar nature.

Corporation constituted; purposes.

SECT. 2. Said corporation may purchase, take, and hold by deed, gift, bequest, devise, or otherwise, real and personal estate for the purpose of said corporation to an amount not exceeding one hundred thousand dollars, and may improve, rent, sell and convey or otherwise dispose of the same at pleasure.

May hold property.

SECT. 3. Said corporation may make and establish such by-laws and regulations as may be necessary for the payment of weekly benefits to such of its members as may become sick and disabled, and the payment of death benefits to the legal representatives or beneficiaries of such of its members as may decease, and for the other purposes of this act.

Sick and death benefits.

SECT. 4. Any three of the said grantees may call the first meeting of the corporation, at such time and place as they may deem expedient, by a written notice to each grantee, given in hand or mailed to his usual address, three days before the date of said meeting.

First meeting.

SECT. 5. The legislature may at any time alter, amend, or repeal this act whenever the public good shall require the same.

Subject to repeal.

SECT. 6. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 22, 1901.]

STATE OF NEW HAMPSHIRE.

OFFICE OF SECRETARY OF STATE,

CONCORD, July 1, 1901.

I hereby certify that the acts and resolves and changes of names contained in this pamphlet have been compared with the originals in this office, and found to be correctly printed.

EDWARD N. PEARSON,

Secretary of State.

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Atkins, Marjorie, to Jessie Gould.

Ball, Lucy D., to Lucy D. Bartlett.

Bardsley, Mabelle, to Mabelle Bailey.

Barry, Archibald, to Archibald Gregory.

Beal, M. Geneva, to M. Geneva Berry.

Bell, Samuel, to Samuel Harding Bell.

Bemis, Linnie L., to Linnie L. Truth.

 William A., to Francis Truth.

Bennett, Mary A., to Mary A. Haselton.

Berry, Helen Maria, to Helen Berry Banning.

Berube, Marie, to Marie Audeux.

Black, Edna, to Lillian Beatrice Currier.

Blanchard, John E., to John E. Barden.

Bonett, Hugh N., to Hugh N. Turner.

 Luella, to Luella Turner.

Boyd, Wilson, to William Cyrus Brown.

Brennan, Charles, to Charles Cranston.

Brown, Abbie M., to Abbie M. Wells.

 Annie Elizabeth, to Elizabeth Scribner Brown.

 Nellie M., to Nellie M. McDonald.

Bunker, Bertha H., to Bertha H. Keyes.

Burgess, Meltie Nette, to Meltie Nette Mitchell.

Buswell, Willie C., to William C. Rowe.

Butterworth, Ella May, to Arvillar Hussey.

Buxton, Fred Kimball, to Fred Kimball McConnell.

Cartland, Alice, to Alice Cartland Downing.

Chase, Leon W., to Leon W. Burns.

Cheever, Eliza S., to Lizzie A. Cheever.

Clay, Mary L., to Mary L. Lang.

Cobb, Sylvia Estelle, to Sylvia Estelle Goodwin.

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 Cook, Priscilla A., to Priscilla A. Paul.
 Counter, Jessie M., to Jessie M. Chamberlin.
 Crane, Mabel, to Mabel Hall.
 Crassley, Myrtle Mabel, to Myrtle Mabel Lund.
 Crawford, Bertha L., to Bertha Crawford Large.
 Crooks, Evelyn, to Evelyn Parker.
 Currier, Minnie C., to Minnie C. Johonnett.
 Curtis, Frank, to Frank Curtis Jackson.
 Davis, Anna M., to Anna M. Jones.
 Ephraim Henry, to Ephraim Henry Little.
 George, to John Herman Semple.
 Harry Chauncey, to Harry Chauncey Cate.
 Jessie W., to Jessie W. Foster.
 Lillia A., to Lillia A. Goodwin.
 Sarah Maud, to Sarah Maud Little.
 Day, Sylvia Marribee, to Sylvia Marribee Hayden.
 Derby, Gladis, to Gladis H. Whiting.
 Downing, Annie M., to Annie M. Hill.
 Driscoll, Theresa Corina, to Corina Bacigalupo.
 Durgin, Grace A., to Grace A. Locke.
 Dudley, Clara Sanborn, to Clara Loretta Sanborn.
 Ealy, Christie, to Vera Gordon.
 Eastman, Alice A., to Alice A. Deane.
 Eddy, Pearl M., to Pearl M. Dean.
 Elliott, Wilma Gertrude, to Wilma Gertrude Harris.
 Elsworth, Musette, to Estella Musette Mills.
 Farrar, Edith, to Stella Iola Giles.
 Fife, Marion Parker, to Marion Parker Moulton.
 Foote, Edward Arthur, to Edward Arthur Hills.
 Forbes, Fannie Ruth, to Fannie Ruth Forbes (?).
 Forgays, Cora E., to Cora E. Amlam.
 Foster, Ralph, to Ralph Otis Watson.
 Fraser, Olive Pratt, to Olive Pratt Keniston.
 French, Achsah Alice, to Ruth Kent.
 Frizette, Benjamin J., to Benjamin J. Lawrence.
 Frye, Emma T., to Emma Taylor Ladd.
 Furnel, Guy G., to Guy Goodwin Fernald.
 Gannon, Clarence Wheeler, to Clarence Shepherd Gannon.
 Garland, Margaret, to Margaret Eames.
 Gentley, Mary E., to Mary E. Kelliher.
 Gero, Frances L., to Frances L. Dexter.
 Given, Emma H., to Emma Florence Flynn.
 Goulet, Maria Exerina, to Exerina Gagnon.
 Gove, Nellie E., to Nellie E. Lyford.
 Grandy, Frank Willis, to Frank Willis Crane.
 Grant, Phyllis Meriam, to Phyllis Grant Redlow.
 Greene, Jareb Alonzo, to Jared Alonzo Greene.
 Grover, Millicent Agnes, to Doris Millicent Shapleigh.
 Hall, Maudie May, to Maudie May Wilkinson.
 Hart, Esther C., to Esther C. Hewitt.

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- Heath, Beatrice, to Beatrice Hildreth.
 Dorothy Frances, to Dorothy Frances Whidden.
 Merl W., to Merl W. Hildreth.
- Herrick, Gilberta Irene, to Lottie Gilberta H. Pound.
- Hill, Franklin Augustus, to Franklin Augustus Hills.
- Hook, William B., to William B. Corser.
- House, Nellie F., to Nellie E. Flanders.
- Ingalls, Lester Howard, to Lester Howard Fletcher.
- Jacobs, Abbie R., to Abbie R. Batcher.
- Johnson, Florence L., to Florence L. Guild.
- Jones, Sarah F., to Sarah F. Strickland.
 William Rowe, to William Danforth Rowe.
- Joslyn, Carrie E., to Carrie E. Harrington.
 Frederick W., to Frederick W. Harrington.
- Kane, Alice E., to Alice E. Wall.
- Keeler, Earl C., to Harry Earl Morse.
- Kelley, Gladys Marion, to Gladys Marion Ordway.
- Kimball, Lena, to Lena Gordon.
- King, Jennie L., to Jennie L. Putnam.
- Kinney, Blanch, to Blanch Miller.
- Kirk, John C., to John C. Houtvet.
- Kitchin, Viola L., to Lurline Elsie Gillanders.
- Knowles, Ina S., to Ina S. Colby.
- Kuselich, Mary E., to Mary E. Atkins.
- Ladd, Ida M., to Ida M. Kennard.
- Laughton, Natt Ray, to Natt Ray Cummings.
- Lawrance, Nell B., to Nellie Lawrence Marshall.
- Lee, Abby G., to Abby G. Forbush.
- Lessard, Blanche M., to Blanche M. Turmal.
- Levy, Persis L., to Persis L. Wiggin.
- Luck, Isabel, to Isabel Leavitt.
- Lufkin, Florence E., to Florence E. Dunlap.
- McGrath, Jennie, to Jennie Merrick.
- McKenna, Sarah Ella, to Ruth Marion Svenson.
- McPherson, Ruth M., to Ruth M. Blakely.
- McRegney, Lillian Alice, to Lillian Alice Cahill.
- Mann, Abbie Maud, to Georgia Maud Carlton.
- Marcotte, Mary, to Mary Q. Marcotte.
- Marshall, Grace W., to Grace W. Ricker.
- Martina, Maria Clotilda, to Maria Clotilda Bacigalupo.
- Mehan, Catherine, to Catherine Hunter.
- Miclon, Donald J., to Donald J. Vandyke.
- Millner, Elinor, to Elinor Trow.
- Morrill, Rosa S., to Rosa A. Crowell.
- Murphy, Joseph, to Joseph Phillippe Massicotte.
- Nutt, Rhoda, to Rhoda Kenney.
- Osgood, Lottabell, to Lottabell Andrews.
- Peaslee, Carl George, to Errol Kenneth Muzzey.
- Peck, Addie M., to Addie M. Grant.
- Pelkie, Delinda Ann, to Delinda Ann Lee.
- Penniman, Walter Henry, to Walter Henry Turner.
- Peppin, Frederick Henry, to Frederick Henry Ryan.

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- Pero, Edith H., to Edith H. Sargent.
 Pettee, Clara L., to Clara L. Howard.
 Pillsbury, William, to William Pillsbury Stickney.
 Poor, Grace Viola, to Phyllis Vera Poor.
 Pratt, Phoebe M., to Phoebe M. Briggs.
 Proctor, Emma Grace, to Emma Grace Phelps.
 Reed, Frank L., to Frank Cronin.
 Lola B., to Lola B. Foss.
 Repley, Georgianna, to Georgianna Tondreau.
 Roberts, Martha, to Martha Leigh.
 Robinson, Nellie, to Nellie F. Smith.
 Rowe, Sadie P., to Sadie P. Sanborn.
 Sanborn, Bessie May, to Bessie May Momblo.
 Savage, Sarah E., to Jessie Savage.
 Slack, Clara, to Clara Gill.
 Sedgewick, Alma R., to Alma A. Robinson.
 Senter, Perley E., to Henry E. Wade.
 Short, Wilber I., to Wilber I. Fay.
 Skeetup, William Stanley, to William Stanley Blaisdell.
 Skillings, Hazel May, to Hazel May Frame.
 Slawenwhite, Charles B., to Charles B. Howlett.
 Frank A., to Frank A. Howlett.
 Smallcon, John W., to John W. Small.
 Smith, Emma Estelle, to Estelle E. Langley.
 James Watson, to James Watson.
 Leland, to Leland Nelson Boutwell.
 Martha, to Agnes Ethel Kinne.
 Mary, to Mary Watson.
 Mary Esther, to Mary Esther Allard.
 Springer, Annie, to Annie Knapp.
 Stanley, Margaret I., to Margaret I. Ferguson.
 Stevens, Mary Etta, to Mary Etta Hayes.
 Winifred A., to Winifred A. Bartlett.
 Stevenson, Harry Hurton, to Charles Hurton Blake.
 Stewart, Louisa, to Mary Belle Willey.
 Stirling, Mary W., to Mary W. Flynn.
 Swindlehurst, Ralph, to Ray Abbott Craig.
 Robert, to Roy Byron Craig.
 Tarady, Alma B., to Alma B. Smith.
 Cecil H., to Cecil H. Smith.
 Jessie A., to Jessie A. Smith.
 Taylor, Grace, to Grace Lull.
 Tilton, George S., to George G. Tilton.
 Minnie, to Minnie Farrell.
 Titus, Estella Musette, to Estella Musette Mills.
 Tollboom, Katherine A., to Katherine A. Cockburn.
 Twombly, Myra H., to Myra H. Davis.
 Upton, Margretta, to Jennie Margretta Whitehouse.
 Varrell, Ella M., to Ella M. Marshall.
 Veber, Clara Lilly, to Clara Lilly Knight.
 Fred Theodore, to Fred Theodore Knight.

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Wells, Emma V., to Emma V. Hodgdon.	
Wentworth, Carrie, to Carrie Hepworth.	
George Herbert, to Bert Wentworth.	
West, Jane, to Jane Lee.	
White, Perley E., to Perley E. Mason.	
Whitney, Mary Edith, to Edith Mary Emery.	
Whyte, Elsie Moulton, to Bessie Gertrude Dunton.	
Wiggin, Robert M., to Robert M. French.	
Willard, Maud Agnes, to Maud Agnes Stevens.	
Williams, Ada F., to Ada F. Mason.	
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